

A Solidarity Pamphlet

\$1.00

HELL ON WHEELS

**THE SUCCESS & FAILURE OF REFORM IN
TRANSPORT WORKERS UNION LOCAL 100**

by Steve Downs





Steve Downs is a Train Operator in the NYC subway. He was a founder of Hell on Wheels newsletter and the New Directions caucus of TWU Local 100. He served several terms on the Local 100 Executive Board and was elected Chair of the Train Operators Division in December 2006. He can be contacted at downs100@gmail.com.

Production staff: Dianne Feeley, David Finkel, Elissa Karg
First Printing April 2008

To order a copy of this pamphlet, send \$2 (including postage) to:

SOLIDARITY

7012 Michigan Avenue
Detroit, MI 48210

or email solidarity@igc.org

Or contact Solidarity for bulk order prices.

INTRODUCTION

WORK IN UNIONS has been central to Solidarity since the organization's founding. Solidarity members work to transform unions into democratic organizations able to resist the employers' offensive and join with others to fight for jobs, housing, schools, healthcare and justice for all working people. At the core of this work is the conviction that lasting change will only come about if workers organize together to fight for their needs against their bosses, the government and, more often than not, the officers of their own unions.

One union in which our members have worked is Local 100 of the Transport Workers Union (TWU), the union of subway and bus workers in New York City. Over the past few decades, they have participated in a significant chapter of working-class struggle.

Founded in 1934, the TWU became one of the first unions to join the Congress of Industrial Organizations (CIO). Like many CIO unions, its early years were marked by militancy, as a leadership with roots in the Irish Republican movement and with ties to the Communist Party (CP) successfully unionized the transit work force. However, also as in many CIO unions, over time militancy was replaced by bureaucracy. The union was run by a small number of leaders who controlled the Local and did not involve members in decision-making. But unlike many other unions, Local 100 has rarely been without an organized rank-and-file opposition challenging the union's leadership.¹

1. These oppositions included the anti-Communist Rank and File Committee of TWU Members for a Democratic Union in 1946, and the CP-linked Rank and File Committee for TWU Democracy (formed in the late 1940s after TWU President Mike Quill broke with his allies from the CP). In the 1960s, the Rank and File Committee for a Democratic Union in the Transit Authority sought to decertify the TWU as part of a campaign by Black and Puerto Rican union members to challenge the entrenched white union leadership. In the 1970s, resistance to the effects of NYC's fiscal crisis combined with the continuing drive for power by Black, Puerto Rican and Latino workers to produce three different opposition groups that, together, won a majority of the Local's Executive Board in 1979 and forced a strike in 1980. By the 1981 election, the bureaucracy was back firmly in control.

In the mid-1980s a group of rank-and-file workers, some with ties to socialist organizations, came together to organize for reform in the union. They pushed for greater accountability of officers and control over the union by its members. They also demanded, and practiced, more militancy in fighting speedups and deteriorating work conditions. This group of workers launched a newsletter called *Hell on Wheels* and, eventually, called themselves New Directions.² Steve Downs, a founding member of Solidarity, was also a founding member of New Directions, and has been active in the struggle for democracy and militancy in TWU 100 just over 25 years.

This book tells the story of New Directions. It looks at the *politics* of the reform movement, the strategies that followed from the politics, and the consequences of the adopted strategies. This account is unique because it is written by a transit worker who was a key activist in the union. Steve Downs participated in the reform movement as a rank-and-file activist and as an officer of the union. Very rarely do we have accounts of union struggles written by someone with his depth of involvement.

New Directions saw success and failure over the past two decades as it battled against the old guard leadership of the Local and the International, as well as the employer (the Metropolitan Transportation Authority), and eventually fell victim to internal differences. Although New Directions has now disbanded, Local 100 activists continue to pursue the goal of a democratic and militant union.

The story told here is a test of a key component of Solidarity's politics: that workers need to rebuild the union movement from below. The story allows us to examine some of the most important questions we face in our labor activism: How to reform a union from within? How to build a multiracial caucus? How and when

2. This name shows that activists in Local 100 did not see themselves as working in isolation. "New Directions" was a name first adopted by activists in the United Auto Workers. The TWU members chose the name because they shared the commitment to a new direction for the labor movement expressed by the UAW activists. TWU activists saw themselves as part of the broader struggle for militant and democratic unions that was expressed at the time by Teamsters for a Democratic Union, the miners' strike of 1978-79, Steelworkers Fightback of the late 1970s, the P-9 strike against Hormel in 1984, and the strikes in the airline industry including PATCO, Continental Airline, and Eastern Airline (in which flight attendants represented by the TWU played a critical role).

to contest for power? What are the challenges and what are the dangers of running for, and winning, union office? Are there ways to keep social movement unionism alive in a Local over the long term?

Solidarity was founded in 1986, through the merger of several socialist organizations. One of the things that brought us together was agreement on the need to rebuild the labor movement from below. Inspired by the wave of wildcat strikes that swept U.S. industry in the late 1960s and early 1970s, rank-and-file workers' organizations such as Dodge Revolutionary Union Movement in the late 1960s, and the international explosion of workers' struggles and power from France (1968) and Italy (1969) to South Africa (1973) and Portugal (1974) to Poland (1980-81), some of our members began living these politics decades ago; others are just beginning.

We don't pretend to have all the answers — after all, in the more than twenty years since our founding, the labor movement has seen defeat after defeat, and most labor activists realize that their work raises as many questions as it provides answers. Yet it remains true that unions are greatly limited in their power if they are not built on workers' power.

We don't know what would have happened had New Directions and TWU Local 100 taken another path. But this case study, although rooted in personalities that reveal various strengths and weaknesses, demonstrates how a union leadership, no matter how militant, that doesn't see the necessity to build rank-and-file power can't carry out what it would really like to do. This account doesn't reject the need for leadership, but sees how it will become conservative and bureaucratic without rank-and-file control. This account is a fascinating case study about how U.S. labor can move forward, as it raises the "vise grip" idea of how the leadership and rank-and-file can work together.

To learn more about Solidarity, please visit our website at <http://www.solidarity-us.org>, email solidarity@igc.org or call 313-841-0160. (You will find our principles of unity on pages 54-55.)

—Stephanie Luce and Dianne Feeley

WHEN 38,000 SUBWAY and bus workers walked off the job on December 20, 2005, they stopped New York City's mass transit system cold. Their action, which disrupted the economy of the business and financial center of the US, clearly showed that working people still matter in our society. The immediate cause of the strike was management's demand that new hires pay more for and get less from their pensions. For several years, bosses across the country had been gutting pension plans and shifting costs from management to workers. When Local 100 of the Transport Workers Union (which represents New York's transit workers) not only rejected management's demand, but also struck to drive the point home, it jolted politicians, the media, the public, and other unions. After receiving assurances that the proposed changes to the pension plan would be withdrawn, TWU Local 100 returned to work on December 22 with its leaders asserting that the strike had achieved its goals.

But Local 100's members did not agree. Barely a month after the strike ended, they narrowly rejected the contract their officers negotiated and recommended. And almost a year after the strike began, Roger Toussaint, the incumbent president who had called the strike, received only 43% of the vote when running for reelection.¹ The contract's rejection and Toussaint's near defeat in the election were stunning setbacks for the man who had won office in 2000 as the head of an insurgent slate committed to a new direction for the TWU and the NYC labor movement.

Understanding that insurgency and what happened to that movement in the years between its victory in 2000 and the strike in 2005 is key to understanding why Local 100 struck and why the members rejected the contract and the people who negotiated it. The successes of the insurgency made a transit strike virtually inevitable. Its failures once in office shaped the way the strike was conducted and gave rise to the dissatisfaction the members ex-

1. Toussaint was reelected because the vote against him was split among four challengers and Local 100 does not require a run-off if no candidate receives a majority.

pressed by their votes against the contract and Toussaint in 2006.

Beginning in the late 1980s, the New Directions (ND) caucus built strength and support by leading Local 100 members in resisting the New York City Transit Authority's (TA) demands for contract concessions and greater control of the workforce, opposing the union leadership's acquiescence to those demands, and fighting for greater democracy within the union in order to better resist the TA. Its sweeping victory in the 2000 election² meant the caucus would move from opposition to implementing its program in one of the most powerful unions in New York City. Before the end of 2001, however, ND had collapsed, and officers who had been elected together a year before were publicly at odds with one another.

What happened to ND? Why did a union caucus that survived a dozen years in opposition fall apart within months of taking office? What, if anything, does the rise and fall of ND tell us about the process of reform in unions?

Anyone familiar with union politics and union reform movements knows that the collapse of a union caucus after a long struggle to win control of a union is not uncommon. Each collapse has its own set of reasons and it's rare that a single factor explains everything. But some factors are more central than others. In the case of ND the central factor was the long-running conflict within the caucus over the strategy for rebuilding and reforming Local 100. Specifically, the conflict was between those pursuing a strategy of reform from above and those pushing for reform from below.

Although the from-above or top-down approach had become dominant within ND by the late 1990s, the conflict could have continued within the new leadership with the proponents of each approach contributing what they did best in the course of rebuilding the union. Unfortunately, that didn't happen. This undermined the new leadership's ability to carry out the reforms it had promised, shaped the way in which the 2005 strike unfolded, and set the stage for the conflict between the leadership and membership that followed the strike.

The reform movement that eventually grew into ND began in 1985 with a rank-and-file newsletter called *Hell on Wheels (HoW)*. *HoW* was begun by transit workers hired after the 1980 transit strike. They came into a union where the members were demoralized by their experiences during the strike, working conditions

2. Roger Toussaint, ND's candidate for Local President received 60% of the vote in a three-way race. In addition, ND candidates won the Secretary-Treasurer and Recording-Secretary positions, five of the seven Local Vice-President spots, 30 of 37 additional Executive Board seats, and dozens of positions as division and section officers.

8 NYC TRANSIT WORKERS

were brutal, the transit system was near collapse because of insufficient funding, and management was pushing to take back many of the gains the workers had won in the past (and defended in their strike). At the time, Local 100 had some 35,000 members who worked around the clock, seven days a week, at hundreds of different work locations. Local 100's leadership did nothing to bring this membership together. There were no local-wide membership meetings and there wasn't even a local newspaper.

HoW was a response to those conditions. It provided transit workers information that they weren't getting anywhere else: information about the TA's plans, the union's lack of response, and members' efforts to defend themselves against petty supervisors. It urged transit workers to demand more from their union and to resist management — whether the union leadership was willing to or not. Most important, it encouraged members to identify with their co-workers in other departments by showing that cleaners, bus drivers, conductors, and track workers were all facing similar abuse by management.

Beyond breaking the local leadership's monopoly on information, the activists producing *HoW* also launched several campaigns to rebuild transit workers' ability to stand up to management and to break the local leadership's control over the direction of the union. For example, they encouraged their co-workers to resist management's productivity drive and showed how it could be done by refusing to work out of title³ or when the conditions were unsafe. In early 1988, as part of a campaign for a good contract, they launched a petition to reform Local 100's by-laws to guarantee that members would receive a full copy of any proposed contract, not just the highlights, before a ratification vote (the executive board did not approve this change). They also produced a series of leaflets that made their case for rejecting the contract and discussed what it would take to win a strike.

After the contract was ratified, two train operators (Steve Downs and Tim Schermerhorn) associated with *HoW* formed a coalition with officers from the Nubian Society (an African-American fraternal organization that had also opposed the contract earlier that year) and New Directions was born. They ran can-

3. For example, management's effort to make Train Operators (the people who drive the trains) work as Conductors (the people who open and close the doors) ended after a supporter of *HoW* refused and received no punishment.

didates for Local President, Recording-Secretary, one Vice President seat (out of seven) and five (out of 37) executive board seats.

In addition to its positions opposing concessions and promoting internal democracy, ND won support because its candidate for president, Tim Schermerhorn, was an African-American train operator. At the time, roughly two-thirds of the local's membership was African-American or Latino, but 70% of the local officers were white. Moreover, while a majority of the members worked in the subways, for 50 years the president had come from the buses. During the election, the incumbent president, Sonny Hall, told his staff that, if ND got more than 10% of the vote, it would be a defeat for the leadership. Schermerhorn received 22% and ND carried the division representing subway crews, winning three seats on the executive board.⁴

Even at this first election, those who had formed ND disagreed on how important winning office was for the reform of Local 100. Those who had begun *HoW* recognized that transit workers needed a strong union to fight against the TA. They also recognized that the local's leadership would have to be replaced if the local was going to become strong. But they didn't think that replacing the top officers would be enough or was even the place to start. They pushed for greater organization of members on the job as the key both to improving the union's ability to fight management and the members' ability to replace their officers. In their view, if ND did a good job organizing on the job, winning office would follow.

Others, including leaders of the Nubian Society, but especially those who joined ND after it already presented a serious challenge to the local's leadership, held the view that little could be achieved without first winning the top positions in the local. Their belief was that those who won these positions could then reform the union from the top. As ND grew, so did the tension between these approaches.

The 1988 election enabled *HoW* to extend its presence and influence in Local 100. The newsletter began to be distributed in new places and activists worked to build networks on the job.

The following year, flight attendants represented by TWU 553 struck against Eastern Air Lines along with ground crews and pilots. *HoW* worked to build support for this strike and especially

4. Although they had responsibility for a single division, the seven VPs were elected local-wide. Thus, even though ND's candidate for VP of RTO (Rapid Transit Operations — the subway crews), Frank Boone, won 58% of the vote in the division, the incumbent VP remained in office because he won a majority of the votes from outside the division. This pattern repeated itself until the 2000 election, when the by-laws were changed to have VPs elected only the members of the division they would represent.

for the flight attendants. New Directions ran candidates for the TWU Constitutional Convention held in October 1989 and elected 10 from the Train Operators division. Together with delegates from TWU 553 and 504 (Pan Am) they brought a motion to establish a strike fund to the floor of the convention. Despite opposition from the international officers, the motion seemed to carry on a voice vote. But it received only 40% when delegates had to stand up and make their position known.

In early 1990, one of the founders of *HoW*, Naomi Allen, won a vacancy election for a seat on the Local 100 Executive Board. This was especially significant because Allen's division, Car Maintenance, was overwhelmingly male.

One of the planks ND had included in their platform for both local and international elections was that childcare should be provided at union meetings. This led to an invitation from a newly-formed rank-and-file women's committee, Transit Women United, to a male editor of *HoW* to attend the women's committee's meetings to advise them on how to conduct their meetings and formulate their proposals for the 1991 contract talks.

For rank-and-file activists, involvement in New Directions was an eye-opener. Eladio Diaz, a skilled worker (who later became an executive board member and division officer) became involved after fighting for the workers in his section to have the right to pick their own steward. He observed,

"[T]he first New Directions meeting I went was the end of 1990...early 1991. And I actually got to like it because of the democratic decisions, the way...issues were discussed and voted on. I'd never seen that before, the atmosphere. And that was the ideal way of how I wanted the union to go. That was my idea of what the union should be."⁵

In 1991, contract negotiations with the MTA (Metropolitan Transportation Authority — the TA's parent agency) took place in the context of a national recession that was felt especially deeply in NYC. Management demanded major changes in work rules and wage increases below the rate of inflation. The contract expired in April 1991. The following December, when local elections took place, there still was no agreement. *HoW* asserted that the MTA

5. TWU Local 100 Oral History. Goldstein interview with Eladio Diaz, 10/18/02, 3, Tamiment Collection, NYU.

and Sonny Hall were delaying an agreement because the givebacks in it would cost Hall the election.

Once again, *HoW* reached out to others and formed a New Directions slate. Several members of Transit Women United ran with ND. This time, Schermerhorn (again running for president) received 34% of the vote and ND members won nine executive board seats. ND also won division officer positions (roughly equivalent to chief stewards in other unions) in the conductors and train operators divisions.

Shortly after the election, the TA announced that it was going to change the way train operators and conductors were scheduled. The changes would undermine the benefits of seniority. Almost immediately, workers on a few subway lines began a slowdown to protest the changes.⁶ Although the slowdown was not initiated by the new ND officers, it was the fruit of the work that *HoW* supporters had been doing for several years (one of the principal leaders had been a candidate on the ND slate).

For their part, the new officers openly supported the slowdown and worked to spread it. (The VP representing the subway crews, who held onto his position despite losing the vote in RTO [Rapid Transit Operations], urged the members to end their slowdown.) The action lasted over a week and, in the end, under the cover of arbitration, the TA backed down. This gave an important boost to the idea that organization and action on the job could win victories — regardless of who was running the union.

Then, in February 1992, the TA and Local 100 announced a tentative contract agreement. As *HoW* had predicted, it contained major givebacks. For instance, Sonny Hall had agreed to a lump-sum payment, instead of a raise in the first year. A part of the raise in subsequent years would come from a productivity deal (called “Work Smarter”) that promised workers a share of money saved by cutting jobs. Wages and benefits for new hires were also cut. According to Hall, the bargaining committee had been guided by the recognition that “Downsizing is going to come. We have to get as much as we can for the people who are left.”⁷

The nine ND members on the executive board were joined by two others in voting against the agreement. *HoW* immediately launched a “Vote No” campaign. This campaign, built through rallies, large marches across the Brooklyn Bridge and through midtown, work slowdowns and an extensive distribution of literature,

6. Slowdowns, like strikes and other “concerted actions”, are illegal under NY’s Taylor Law. Participants face the loss of two-day’s pay for each day of the action.

7. Remarks to Local 100 Executive Board, January 1992.

resulted in the first-ever contract rejection in Local 100.⁸ ND then proposed building pressure for a better contract through job actions and demonstrations leading up to and coinciding with the Democratic Party nominating convention to be held in NYC that summer.

Meanwhile, forced back to the bargaining table, Hall made some minor changes to the agreement (including negotiating a raise in the first year) and brought it back for a second vote. Recognizing that the members, faced with cuts to health benefits and Hall's threat to send the contract to binding arbitration, would not reject the contract a second time. ND urged members to write "None of the above" on their ballots. Few did and the contract was ratified.

The events of 1991-1992 were very important for ND's development. First, the actions of the members who participated in the slowdown to protect seniority rights and who came out to protest the contract showed conclusively that the membership was willing to fight. Second, they led to a rethinking of the place of election campaigns in building the rank-and-file movement for reform. Those who had viewed elections as primarily a chance to promote the ideas of ND's platform took the prospects and responsibilities of winning positions more seriously after seeing that ND's election win in RTO had encouraged the subway crews who were willing to fight. Even though ND did not initiate the slowdowns, the fact that officers were in place who would support the action made a clear difference to the people operating the trains.

Third, the fact that ND did not have anyone at the bargaining table, let alone control the bargaining committee, meant that despite the initial contract rejection, the members still had little choice but to accept an unsatisfactory contract. The control exercised by the top officers over the contract negotiations strengthened the conviction of those who held that little could be accomplished without first winning the top positions in the Local. And fourth, in the fall of 1992, the activists who had waged several election and contract campaigns decided they needed a more stable organization to lead the challenge against the established leadership and their policies. They agreed to transform New Directions from an electoral coalition to a membership caucus within Local

8. After 1000 Local 100 members marched across the Brooklyn Bridge and rallied outside City Hall, several hundred headed uptown to the union hall to confront the Local's officers about the givebacks in the contract. When they arrived at the hall, they found that the police had been called to keep them out. Eventually, 200 were allowed into the building where they attended a meeting of the Conductors' Division. Several were later brought up on charges by a VP for "kidnapping"! The charges were eventually dismissed by the Executive Board.

100 with regular meetings, dues, and an elected steering committee. *Hell on Wheels* became its newsletter.

Following the 1991-1992 contract fight and the formation of a membership caucus, ND continued building resistance to speed-up and unsafe conditions on the job. It also continued its campaign against the Local 100 leadership's acceptance of givebacks and the lack of democracy in the union. When elections were held for the 1993 TWU Constitutional Convention the membership showed its support by electing ND candidates to about 40% of the delegate seats. As a result of the work it had done and the base it had built, ND was in a strong position in 1994. For the first time, it ran a full slate for the top 10 local-wide positions. Also for the first time, the incumbent's candidate for president was a person of color, Damaso Seda.⁹

With the contract late again, and the incumbent largely unknown to the membership (Seda had been the union's lobbyist in Albany for years), many members thought this might be the year ND broke through. But a few months before the election, Seda won legislative approval of a bill that reduced the time transit workers would have to work to receive a pension (however, workers would have to contribute more to the pension fund).¹⁰ At about the same time, Seda also announced a tentative contract with the MTA.

Although the pension bill and the contract were not linked, the incumbents led members to believe that the new pension provisions would only take effect if the contract was ratified. Despite its givebacks, the contract passed, and Seda was elected later that year. Schermerhorn received 45% of the vote and ND won 15 seats on the executive board.

Once again, the results reinforced the differences within ND. Those who thought that victory in elections would follow from successful organizing around daily issues on the job were pleased with ND's showing. They pointed out that ND lost because it had little support among the local members in the bus divisions and argued that ND had little support in buses because it had no

9. Hall had moved up to International President in 1993. Seda, who had been elected Local Secretary-Treasurer with Hall in 1991, was appointed by the Executive Board to fill out Hall's term as Local President.

10. Instead of being able to retire after 30 years of service at age 62, transit workers could retire with a full pension after 25 years at age 55.

activists on the ground there. On the other hand, Seda's ability to use the changes in the pension plan to win both approval for the contract and the election hardened the view of those who thought no amount of organizing on the job would matter if ND didn't hold the top positions in the union.

Within a year of his election, Seda was out. ND launched a recall campaign against him and the other top officers when it was discovered that Seda had withheld information about the full cost of the new pension plan from the members. When it became clear that ND could collect enough signatures to force a recall of all the top officers, International President Sonny Hall "promoted" Seda to a staff position at the international in exchange for his resignation as Local 100 President. With ND members on the executive board dissenting, Secretary-Treasurer Willie James was appointed to fill out Seda's term.¹¹ He became the local's first African-American president. Over the next year, divisions within ND over how to reform the union became sharply drawn.

In the 1994 election ND succeeded in electing two African-American women — Corine Scott-Mack and Cecile Clue — to head the predominantly male divisions representing Train Operators and Conductors. (ND had run Scott-Mack for VP of RTO in 1991 and also ran her for Local Recording-Secretary in 1994.)¹² Willie James and his VP in RTO, Ray Campbell, worked hard to woo Scott-Mack. In early 1996, despite a heated debate and expressed reservations within ND, she accepted a full-time union staff position.¹³ In doing so, she pointed out that ND had long argued that the staff should be made up of officers chosen by the membership, not appointees owing their position to the VP. She concluded that as the elected chair of train operators, she belonged on staff.

Once on staff, however, she distanced herself from ND. She

11. Before Seda resigned, Hall met with leaders of ND and proposed placing the Local in receivership. He offered ND three of six seats on a committee that would administer the Local, under the supervision of his appointee. ND responded that they would only agree to this arrangement if a special election were held within six months to allow the members to choose their officers. Hall refused.

12. Division Chair is analogous to Chief Steward in other unions. Each division committee was made up of five officers who were released four hours a day to handle union business. Each division had around 3000 members. ND had long called for the divisions to be run by their elected officers, rather than appointed staff.

13. With the exception of the top 10 officers, full-time staff in Local 100 are appointed, not elected.

refused to discuss her decisions or actions with the broader group. Scott-Mack, Clue and those who sided with them argued that they could do more for the members from staff positions and that the only way to change the union was from within its official hierarchy.

In the summer of 1996, the TA threatened to lay off 2,000 cleaners because of a budget deficit. James opened the contract a year ahead of schedule, extended its term and, in exchange for a guaranteed minimum number of cleaners on the payroll, agreed to let the TA use WEP workers (welfare recipients forced to work for their welfare check) to clean trains, stations and buses. He also negotiated a lump-sum payment in lieu of a raise. Taken by surprise by the early and speedy talks (a tentative settlement was reached before the Executive Board was even aware talks were taking place), ND was unable to mount an effective campaign against this agreement and the contract was ratified. Scott-Mack and the other ND members on staff refused to speak out against the contract. Early in 1997, they officially broke with ND. Scott-Mack was appointed acting VP of RTO and ran on Willie James's slate in the 1997 election.

After the 1994 election, when it became clear that ND could actually take control of the union, ND became attractive to low-level officers who wanted to change things in the union. On the whole, these officers were not committed to a long-term, reform-from-below strategy. For its part, ND had always reached out to others in efforts to build broad, representative slates at election time. Every electoral coalition had altered the character of ND in some ways, and 1997 was no exception.

Roger Toussaint, who had been elected chair of the Track Division in 1994, joined ND in early 1997. Although he had been a long-time opponent of the local leadership's policies, he had focused on building a base in his own department and, until 1997, stayed aloof from ND and any challenge to the Local 100 leadership on a local-wide level. Darlyne Lawson, the chair of Stations Department (the largest of the local's seven departments), was a long-time supporter of the leadership who became dissatisfied with James. Courted by ND, she too joined in early 1997, bringing some of her fellow officers with her.

Once again headed by Tim Schermerhorn for president, the local-wide slate included Naomi Allen for Secretary-Treasurer, and Roger Toussaint for Recording-Secretary. ND ran Darlyne Lawson for VP from Stations and, for the first time, had a candidate for VP from the Private Bus Lines, Pat Neville. For the first time, ND ran for all ten local-wide positions and also 31 of the remaining 36 seats on the board.

Many members felt this would be ND's year. Voter turnout was high (63% compared to 49% in 1994). But when the ballots were counted, James won by 881 votes out of 18,500 cast. Naomi Allen came within 350 votes of being elected Secretary-Treasurer. A couple of ND's VPs lost by fewer than 300 votes. ND, citing a number of violations (most seriously, the use of union resources to aid the James slate) in the conduct of the election, immediately challenged the outcome and prepared to seek a new election from the Department of Labor.

With evidence that the James slate had benefited from union resources that were not made available to ND, the international ordered a new election in early 1998. A brief, very hard-fought campaign followed, but the final outcome was the same. With a slightly higher turnout, Schermerhorn received 49.5% of the vote, losing by some 600 votes. ND won 22 of the Local's 46 Executive Board seats.¹⁴

In both elections, ND won all four of the local's departments in the subways while James won the three bus departments. This meant that four of the local's seven VPs had been rejected by their members and held office only because their positions were elected local-wide. This created a highly unstable situation where the elected division officers and board members in the subways strove to assert their authority to run their divisions while the VPs and their appointed staff were constantly trying to block them.

Frustration in ND was very high after the election. The very closeness of this election, coupled with the large number of new ND members who joined expecting to win control of the local but now faced with another three years shut out from the leadership, contributed to a decisive shift within ND toward those who thought that winning control of the top positions in the union mattered more than organizing on the job.

It looked like 1999 might be the year things came together for NYC's transit workers. The contract's expiration date — 12/15/99 — came at the height of the holiday shopping season and just two

14. In addition to Local Recording-Secretary, Toussaint had run for, and was reelected to, the position of Track Division Chair.

weeks before the city's big Millenium New Year's Eve celebration. This reinforced transit workers' perception of their leverage. Local 100 members were determined to avoid contract concessions. Officers from ND were in place throughout the subway divisions stoking the "no givebacks" sentiment. Willie James knew that he would not survive another election if he didn't bring back a good contract. And, for the first time in years, the city, state, and TA budgets also showed a surplus.

Strategy discussions in the spring of 1999 showed a division within ND. On the one hand were those (like Toussaint and Marc Kagan, chair of one of the big car maintenance facilities) who argued that ND should focus on shaping the union's contract demands (as a way of defining what the members would find acceptable) and on increasing ND members' role in the actual bargaining. On the other hand, others (including this author and Schermerhorn) argued that ND was not going to have influence at the bargaining table. So while they supported pushing for key contract demands, they emphasized building the sentiment against concessions, organizing on the job to disrupt service, and preparing to campaign against a bad agreement as the best ways to influence the outcome of the talks. Although there was overlap in these positions, they clearly represented different perspectives that became more sharply defined in the course of the contract campaign.¹⁵

When ND members on the board pressed for a discussion of the strategy that would be pursued to win a good contract, James responded with a proposal for a \$60/member assessment to build up a fund to be used to run radio and TV ads presenting the union's issues to the public. ND opposed the assessment, arguing that the lack of a discussion on the overall contract strategy made it impossible to judge the necessity of the assessment or the place of the media campaign in the contract fight. The local's membership, voting in a referendum, overwhelmingly rejected the assess-

15. In early 1999, Roger Toussaint was fired by the TA. Toussaint had been injured in July, 1998, while returning from an arbitration hearing in a union staff rep's car. The TA not only contested his workers' comp claim, but also in November wrote him up for dismissal for riding in "an unauthorized vehicle." Toussaint's appeal of the dismissal was submitted a day late and in April, an arbitrator ruled that he had "abandoned" his appeal and upheld his firing. ND launched a campaign for Toussaint's reinstatement and forced the Executive Bd to continue to recognize him as the Track Div. chair while he pursued his case in court. Toussaint won his job back at the TA only after he was elected president of Local 100.

ment.

In June, Toussaint, walked out of an ND meeting that was discussing contract strategy. With a few other officers from ND, he then made an effort to build up the officers, rather than ND, as the center of the fight for a good contract. They stopped attending ND meetings and organized three forums to tell transit workers why particular issues were important. They did not seek ND's support for the meetings, listing only officers as sponsors. Attendance at the meetings was quite low and in October Toussaint returned to ND meetings.¹⁶

In the fall, ND's campaign focused on pushing for ways for the membership to put pressure on the negotiations. Specifically, this meant:

- Pushing for mass demonstrations outside the MTA offices
- Organizing slowdowns and other service disruptions
- Demanding that division chairs be included in the local-wide bargaining
- Calling for a mass membership meeting the day before the contract expired

Big demonstrations at contract time were not new to Local 100, but these were the biggest and most militant in decades. Some 10,000 Local 100 members and supporters rallied outside the MTA offices. At the front of the rally was a large contingent of train operators and conductors. They booed their VP, former ND member Corine Scott-Mack, off the stage and drowned out Willie James with their chant of "Strike, Strike, Strike." Combined with the spike in late trains and other service disruptions, these demos reinforced the militancy of the members, demonstrated that militancy to the public, the governor and the mayor, and conveyed the impression that James would not be able to keep control of the situation.¹⁷

Despite the fact that the Local 100 by-laws state that "Each negotiating Committee shall consist of the Local officers and the Chairmen of the Divisions covered by the contract,"¹⁸ Willie James

16. When Toussaint returned to ND meetings, the group was considering whether to support James's suggestion to hire Corporate Campaign to mount a campaign against members of the MTA Board. Toussaint said ND should neither support nor oppose the proposal. Others, including this author, felt ND should support it on condition the division officers had a direct role in running the campaign within the union. When the final proposal was made, the elected officers had no clear role and ND's members on the Executive Bd voted against hiring Corporate Campaign.

17. Indeed, in early Dec., James thought it necessary to go on TV and reassure the mayor and business in NYC that the trains and buses would roll through the holiday season.

18. TWU 100 By-Laws Article XXVI (e).

refused to let the division chairs (four of whom were ND members) into negotiations. While everyone in ND believed the By-Laws should be respected, some thought ND officers would accomplish little as part of James's bargaining team. For his part, however, Toussaint made getting into the talks a priority.

When the executive board refused to order James to include the chairs, ND sued to get them on the negotiating team. The judge ruled in ND's favor — but only to the extent of ordering that, whenever the *entire* negotiating committee was present at the talks, the chairs must be included. This proved to be an empty victory. James never took the entire committee into the talks and the four chairs from ND (Roger Toussaint for Track, Ainsley Stewart for Car Equipment, Mike Carrube for Conductors and Tower Operators, and Eddie Creighton for Train Operators) wasted days sitting around the lobby of the hotel where talks were taking place, waiting to be called in.

On December 14, 1999, Local 100 held its first general membership meeting in a generation. ND had been pushing for such a meeting throughout the fall and had finally won approval by the executive board in November. Officially, the meeting was to hear a report back from the bargaining table on the day the contract was to expire. For ND, though, the meeting was an opportunity to bring thousands of members together for a strike vote.¹⁹

To the surprise of many in ND, Toussaint argued that ND should not take any responsibility for building the membership meeting. He said it should be left to the hands of the local's officers and that ND should concentrate on building a march across the Brooklyn Bridge that the Track Division committee (which Toussaint chaired) had scheduled for December 15.²⁰ Most ND members recognized that if ND didn't build the meeting, it wouldn't happen and an historic opportunity would be lost. They voted to build both the meeting *and* the march.

On the morning of December 14, hundreds of police lined the streets near the meeting hall in Midtown Manhattan. Close to 4,000

19. The Local leadership would not sanction a strike vote. They said it would violate the Taylor and result in large fines against the union.

20. The march was another instance of Toussaint trying to promote the officers over ND. The Track Div. committee had taken out a permit for the march without discussing it within ND. ND was then presented with a *fait accompli* and asked to endorse it.

transit workers packed the hall to hear reports on the negotiations. Instead, they were served with an injunction.

Early that morning, Mayor Rudy Giuliani had gotten a court injunction against the union and its members. The injunction not only barred the union from striking (strikes and job actions by public employees were already prohibited under NY's Taylor Law), it also barred the union and its members from even *discussing* a strike. And it threatened fines of \$1 million (doubling each day of the violation) against the union and \$25,000 (doubling each day) against every member who violated the injunction. Local 100 VP Gil Rodriguez read the injunction to the members at the meeting and informed them that they had all been served.

The members were indignant at the injunction and furious that one of their own VPs had served them with it. Rodriguez soon left, taking with him the other officers from James's faction in the union. ND officers then stepped up and opened the discussion to the membership. While most of the members who spoke expressed some variation on the theme of "Fuck Giuliani," the responses of ND leaders demonstrated the differences that had developed within ND.

Like the rest of the membership, ND was taken by surprise by the injunction. Without a chance to discuss its implications, the comments ND members made expressed their own gut reactions to the injunction and its threatened fines. As Chair of Track, Roger Toussaint had been standing on the stage with the other division chairs. When he stepped up to the mike, he urged the members to be calm and not to do anything that might jeopardize the local's treasury or property. He then encouraged members to join the march across the Brooklyn Bridge scheduled for the next day. For his part, Tim Schermerhorn went to a mike on the floor and called for a vote to authorize a strike. He became the first person to violate the injunction — and he was immediately joined by thousands of members who roared their approval of the motion.

By the evening session of the meeting, most members had heard about the injunction. They came to the meeting angry and seeking information. Over 4,000 members attended the evening meeting. When some of the VPs tried to explain why the union had to respect the injunction, they were booed off the stage. ND officers were more prepared than they had been in the morning. They reported on the state of negotiations, urged the members to stand firm and reject any concessions, and, to cheers and applause, one of their executive board members tore up the injunction.

While Toussaint did not repeat his words of caution from the

morning, Schermerhorn once again called for strike authorization. And, once again, the members roared their approval. When the meeting ended, several hundred members marched to the union hall to await the expiration of the contract at midnight.

At this point, ND made its biggest mistake of the contract fight. Board members and division officers had been told to report to the union hall in case James needed to meet with them on short notice. So, fearing that James might try to rush a vote on a proposed agreement, they spent the last hours before contract expiration hanging out at the union hall instead of going to the road to encourage slowdowns among bus and subway workers.

At about five in the morning, James brought in a tentative agreement. It was narrowly approved by the board (24 in favor, 20 opposed, one abstention) and sent to the membership for ratification. The march across the Brooklyn Bridge that evening (December 15) was used to kick off the "Vote No" campaign. However, turnout by transit workers was low and they were hemmed in by a massive police presence.

The job actions and mass demonstrations that ND (described by the *NY Times* as "the force that could add bite to Mr. James's bark"²¹) had encouraged and built had raised the specter of further disruptions and had convinced the powers at the MTA that Willie James did not have control of the Local 100 membership. These actions were widely credited with winning for transit workers a larger wage increase than other public employees had gotten in recent bargaining. In fact, several observers of municipal labor negotiations said that ND should take credit for the gains in the contract and call for its approval by the membership.²²

Instead ND campaigned hard against the contract, arguing that James had refused to use the strong hand the membership had given him and agreed to highly damaging concessions. They pointed to the loss of seniority rights in Car Equipment that would accompany the introduction of broad-banding and to the glaring underfunding of the Health Benefit Trust. Despite ND's opposition, the contract was approved by the members by a 3-2 margin.

21. *N.Y. Times*, December 14, 1999.

22. An editorial in *The Chief-Leader* (December 24, 1999) observed, "New Directions in the aftermath of the settlement chose the dubious tactic of denouncing the deal, rather than looking to grab a deserved share of the credit..." *The Chief-Leader* is a weekly paper in NYC that covers civil service issues and public employee unions. It is widely read by public workers, including transit workers, in the city. In its March 17, 2000 issue, after the contract had been ratified, *The Chief* reported, "Mr. Henning (Bill Henning, VP of Local 1180 of the Communications Workers of America which represents supervisory workers in NYC — SD) said that New Directions ought to have claimed victory instead of waging its battle to get members to reject the deal."

Immediately after the ratification vote was concluded, ND began to prepare for the local union elections later in the year. ND's members were not discouraged by the contract's approval. They understood that many members had voted for the contract because they saw that the passing of the holidays decreased the local's leverage and they didn't trust James to do any better if the contract was rejected. Many members also credited ND with the relatively large wage increase that had been won.

In the first half of the year, preparing for the elections meant struggling over who would be the ND presidential candidate. After four campaigns in which Tim Schermerhorn had been the standard-bearer — and not won — quite a few ND members wanted a change. The campaign for Toussaint's reinstatement had raised his profile in the local and he had used the year since his firing to firmly establish himself as the leader of those elected officers who were frustrated by their lack of control over the union.

On June 3, 2000, ND met to choose its presidential candidate from among Tim Schermerhorn, Roger Toussaint, and Steve Downs. Toussaint received two-thirds of the vote. The candidate for Secretary-Treasurer was Ed Watt and Noel Acevedo was chosen for Recording-Secretary.²³

In choosing Toussaint, ND members also chose a different kind of campaign. ND had always taken the position that changing the leadership of the union, while necessary, would not be enough to enable the union to win real gains against the MTA. In its campaigns, ND posed the question, "If electing new leadership won't be enough, what will it take?" ND's answer had been membership mobilization on the job, confrontations with management, slowdowns, and strike preparation. In 1997, ND's campaign slogan had been, "Take Back the Power!" — a slogan expressing a dual emphasis on union democracy (membership power within the union) and militant struggle against management (power on the job).

In his bid for the nomination, Toussaint argued that ND was perceived by the membership as too radical and that it scared people away. Instead of telling the members how much they would have to do and risk after electing ND, he wanted to pitch the campaign in terms of choosing a new leadership to clean up and rebuild the union. To express this he pushed for the softer slogan "Rebuild Our Union" in 2000.

23. Although he later became a strong and vocal critic of Toussaint's, and ran against him for president in 2003, at the time Acevedo viewed himself as a bridge between the two main factions within ND. Watt was a close ally of Toussaint's.

Although debates within ND were often quite sharp and bitter, and Toussaint was openly hostile toward those who disagreed with him, the group held together, united in its determination to win the election and reform Local 100. The same could not be said about the James Team.

Willie James was challenged from within his administration by officers who feared that he was dragging them all down. First, a few of them voted on the board with ND to remove Corine Scott-Mack (by then, one of James's strongest supporters) from office for improper use of her union credit card.²⁴ A short time later, James announced that, for medical reasons, he would not seek re-election. The incumbent officers then rallied around one of the VPs from the buses, Eddie Melendez. Then, in a surprise move, James returned from sick leave in the fall declaring that he would be running after all. Melendez did not yield his place, leaving a split bureaucracy facing a united and confident ND.

Facing the likelihood of losing control of the local and hoping to salvage a few positions in the buses, both factions of the bureaucracy converted to the idea that the VPs should be elected only by the members of their division, rather than local-wide. They presented an amendment to the by-laws to that effect. Since ND had been fighting for this reform since its inception, this should have been uncontroversial. But hoping for a sweep of all seven VP spots, Toussaint opposed the move and wanted ND members on the board to find some way to prevent it from going forward.

Most ND members put the long-term benefit of the local's members being able to choose their own officers and hold them accountable for their actions ahead of the short-term advantage of a monolithic leadership, however, and voted for the amendment. The amendment was then overwhelmingly approved by the membership in a referendum in the fall. On December 14, the ballots in the local election were counted. Toussaint won 60% of the votes. ND won the three local-wide positions, the four VPs from the subways, one of the three VPs from the buses and a total of 38 seats (out of 47) on the executive board. Tim Schermerhorn, ND's long-time candidate for president, was elected VP of RTO.

Within ND there was broad agreement on the need to clean up the local's finances and administration, and the importance of creating a union presence on the job. Beyond the points in its cam-

24. While the initial charges came from within the union staff and had been limited to Scott-Mack, once she was found guilty, it opened up a much broader investigation, which further undermined the James leadership and resulted in charges against several union officers, including Willie James.

paign platform (cut salaries for union staff, elect shop stewards), however, ND had not spent any time during the campaign preparing for what to do when they won.²⁵

When the new officers were sworn-in in January 2001, they took over a union in crisis. Most of the defeated officers abandoned the union hall immediately after the election. The local was in debt, there was no steward system, and contracts were not being enforced. As a result of the underfunding agreed to by James in 1999, the Health Benefit Trust [HBT] was broke and the TA was insisting that the union either make concessions elsewhere or agree to cuts in benefits. At the same time, the expectations and enthusiasm of the membership were quite high, giving the new leadership a large store of goodwill and activism to draw upon. *New Directions* now had the opportunity to rebuild the local – and the responsibility to run it.

The new leadership moved quickly to address the local's problems. Toussaint hired a new accounting firm and ordered a full audit of the local's finances. Salaries for officers and staff were cut (although not by as much as ND's platform had called for), the special staff pension plan was eliminated, and the mortgage on the union's building was refinanced.

The new leadership made a major push to inform Local 100 members of the HBT crisis and to prepare them to resist management's efforts to force concessions in exchange for the funding necessary to maintain benefits. Nearly 10,000 transit workers and supporters rallied outside MTA headquarters to demand that benefits be maintained.

To ensure that contracts were enforced, the local called for volunteers to become stewards and hired Eddie Kay, the former Secretary-Treasurer of Local 1199/SEIU, to train them. Some 500 members signed up for the first set of classes. The officers also jumped into the ongoing contract talks at some of the private bus companies (the union's Private Bus Lines division was one of the two where ND did not win the VP's position) and on March 1, 2001 launched a one-day strike at Liberty Lines in Westchester.

As important as these first steps were, they were carried out in ways that showed that Toussaint and his closest allies had already made crucial decisions about how to rebuild the local: the reform of Local 100 was to be a top-down, staff-driven process. Those offi-

25. Although Irving Lee and Joel Fredericson (Recording-Secretaries of the Train Operators and Track Divisions, respectively) had pushed for this discussion on several occasions, Toussaint and his supporters refused to have it, saying there was plenty of time for this discussion once the election had been won.

cers and members who pushed for a more participatory, from the ground up, approach were to be frozen out. For example:

- Using his role of chair of the executive board, Toussaint did not allow the board to discuss by how much staff salaries should be reduced until months after the reductions had been made — by which time new officers had gotten used to their new salaries and rejected any further reduction.

In early February, two members of the executive board moved that committees be established open to all members who wished to help organize the fight for contracts at the private lines and to save health benefits.²⁶ Toussaint, commenting that officers and staff were already handling these matters, ruled the motions out of order.²⁷

- The content and purpose of the stewards' trainings were not decided by the board. When officers in RTO proposed classes to train officers in their division, with a clear emphasis on preparing them to organize job actions, Toussaint asked Schermerhorn to wait and informed him that he would not be able to use any union resources for the training if he went forward. Instead, all potential stewards were to sit through the local-wide classes where they would be trained to distribute union literature and bring members out to union-sponsored rallies and meetings.

- At Liberty Lines the decision to strike for just one day was made and announced by Toussaint. The members had been prepared to stay out until they received a contract. They did not vote to end their strike after one day.

The strategic choice behind these decisions had lasting effects on the local and severely limited how much would actually be accomplished.

New Directions was also affected by Toussaint's decision to rely on staff to transform the union. Instead of using ND meetings to discuss how to advance ND's goals, Toussaint used them to settle scores with some of his critics for what he perceived as their undermining of his campaign. He also repeatedly insisted that moving from opposition to responsibility required changes in how ND did things.

Unfortunately, beyond insisting that changes were necessary

26. The motion for a committee to save health benefits came out of an ND meeting on 1/30/01. Toussaint was not present at that meeting.

27. The fight to preserve health benefits continued for two years. Several large demonstrations (up to 10,000 members) were held in 2001 and 2002. Prior to the opening of contract talks in 2002 these demos were the primary mobilizing events for the Local. Many officers judged their success in reforming the Local by the turnout for these events.

(which no one disagreed with), Toussaint did not outline what he thought those changes were. In addition to the positions they took on strengthening the executive board, training stewards to be organizers, making sure that members made key decisions about strikes, etc, several ND members also pushed for the group to discuss how best to carry out its platform. However, a majority simply waited for Toussaint to tell them what needed to be done. It soon became clear that, for Toussaint, moving from opposition to administration required that:

- ND cease to function as a membership caucus;
- Local officers from ND embrace a rigidly hierarchical model for the union; and
- The goal of member control of the union be replaced by the goal of increased “member participation.”

Several of the officers closest to Toussaint, especially Marc Kagan,²⁸ argued that ND should dissolve because it had served its purpose by getting officers committed to reforming the union elected. Toussaint’s position was that, while ND should remain in existence (its name might be useful for elections), it should not take any actions that were not sanctioned by the local’s officers. Others including Noel Acevedo, Naomi Allen, Irving Lee and this writer advocated that ND still had a role as a place where active members and officers could meet to discuss what “rebuilding our union” meant in practice and how to achieve the goals for which ND had fought for years.

They also argued that the new officers (including themselves), no matter how well-intentioned or how militant they had been as rank and filers, would be subject to pressures pushing them in a more conservative and bureaucratic direction and that it was important that ND exist to exert a countervailing pressure.

Toussaint and Kagan rejected *any* role for ND in helping to figure out how to move the local forward and caricatured their opponents’ position as an effort to have a handful of ND members tell the officers how to do their jobs and bind them to the positions of ND.²⁹ (Indicating the low regard that Toussaint’s leadership had

28. Kagan was a long-time associate of Toussaint’s who would serve as Special Assistant to the President from late 2001 until early 2003.

29. Goldstein interview with Kagan, 8/22/03, 15.

for open-minded discussion and democratic decision-making, Kagan branded as “wishy-washy” any officer who would be influenced by discussions at an ND meeting.) ND never formally dissolved but, except for attending some meetings before and after the TWU convention in the fall of 2001, Toussaint and ND members appointed to staff stayed away and the group ceased functioning within a year of the ND election victory.

Toussaint, Watt, Kagan and their supporters replaced the radical democratic vision that had been promoted by ND with a hierarchical, at times explicitly military, model of organization. In this model, all decision-making authority lay in Toussaint’s hands. At rallies, Toussaint was referred to as “our general” and Kagan exhorted critics within ND to be “good soldiers” and follow his leadership. This was not just a model for internal union functioning, but also had clear and immediate implications for the union’s battles with management.

For example, as mentioned above, the decision to limit the strike at Liberty Lines to a single day was made solely by Toussaint. A few days after a contract was reached, a statement was posted to ND’s internal email list congratulating the officers and members for the contract they had won. It then stated that calling the strike off without the members’ approval was a mistake, a mistake that could be attributed to the inexperience and lack of preparation of the union’s officers. It said that decisions about whether to strike, how to conduct strikes, and when to end them should be made by the members involved and that the officers and executive board should make sure that this happens in the future. The writer of that note was denounced on the list by one of Toussaint’s appointees for attempting to undermine the president, and the issues raised were never addressed.

In principle, Local 100’s Executive Board should have been where discussions of goals and how to achieve them took place. Indeed, this had been the justification advanced by several ND members who argued that there was no longer a need for ND. In reality, such discussions rarely occurred on the board.

Local 100 has a relatively large board (47 members in 2000). Ten of those members³⁰ form the executive council. Toussaint made it clear that, as far as he was concerned, the board’s role was to set broad policy (for example, ‘win a good contract’), but that he and

the other executive council officers would decide how to carry out that policy. He denied that the board was even the appropriate place to discuss how to win a good contract; to him, that was up to the executive officers (the top 10 elected officers) alone. Not every board member agreed with this limited role for the board. But Toussaint made sure he had the votes he needed by placing a number of the board members on the union payroll.

Traditionally, the only elected officers on the union payroll were the 10 members of the executive council. In fact, prior to 2001, board members who were appointed to staff positions resigned their seats on the board. Toussaint changed this, appointing an additional 10-15 board members to the staff. Being placed on the payroll, obviously, changed their working conditions and usually meant a large raise. While these officers might have supported Toussaint even if they had not been on staff, they now had to consider whether disagreeing with Toussaint on the board would result in their being removed from the union payroll and sent back to their tools (as will be shown below, this was a legitimate concern).

TWU's 2001 convention offered the new leadership a chance to have an impact on the national union by proposing a set of reforms backed by a large bloc of delegates. ND had always called for significant changes in the way the international was run: the establishment of a strike fund; direct membership elections of international officers; reducing the pay of international officers; election of shop stewards; protection of the right of members to vote on contracts; and support for efforts to run working-class candidates independent of the Democrats and Republicans. Having steadily increased its share of delegates since first running in 1989, ND was now in a position to elect a large majority of the delegates from Local 100. Local 100, in turn, would have one-third of the delegates at the convention.

Instead of running as New Directions, however, Toussaint called for bringing supporters of James on board and running as

30. When the issue of officers' accountability to ND was raised in early 2000, I wrote, "The difference between Marc's position and mine is not over whether ND should have veto power over decisions of the officers. We agree that it should not." And, "We will not 'instruct them on how to run the Local.' But we must expect them to participate in discussions in ND about how to build the union and increase membership participation in and control over its affairs." Posted to ND discussion list, 2/27/00.

the “Local 100 Unity Slate.” Several people, especially in Stations and RTO, said that they would welcome broadening the slate — if the new people genuinely supported the changes ND sought in the local and international. However, they were against changing the name. They argued that the members had shown their support for ND and understood what ND represented. They also argued that without explanation, “unity” was an insufficient basis for a slate; by itself, “unity” said nothing about a new vision for TWU. The slate in RTO ran as New Directions, the other divisions all ran as “Local 100 Unity Slate.”

By the time of the convention, the split within ND was open and irreparable. The conflict was made public by Toussaint in July when he gave an interview to *The Chief-Leader* newspaper in which he attacked some of his critics within ND, especially Naomi Allen and Steve Downs.

Toussaint’s comments in *The Chief*, and the fact that he had chosen to make the internal dispute public, made it clear to Acevedo, Allen, Schermerhorn and Downs that Toussaint was determined to exclude them from any role in rebuilding the local. This recognition, in conjunction with the virtual shutdown of ND and the absence of any substantive discussion on the executive board led them to look for other ways to maintain their struggle for democracy within the local and militancy toward management. They decided to launch a new newsletter to maintain a voice for alternative perspectives within the local.

The convention was scheduled for the end of October 2001. During the summer, there was speculation that Toussaint might challenge Sonny Hall for International President at the convention, but Toussaint did not announce his candidacy to the membership or convention delegates. Nor did he call meetings of the delegates from the local to discuss the local’s goals and how to achieve them.

Yet on the first night of the convention, Toussaint declared that he was running against Hall. Joining him in the announcement were Local 100 Secretary-Treasurer Ed Watt, (running for Executive VP) and Jack Sullivan, a VP from TWU Local 501 (at American Airlines) running for International Secretary-Treasurer.

To have a chance of unseating Hall, Toussaint needed support from delegates from the Air Transport Division. Like Local 100, the ATD represented about one-third of the international and there had been rumors that many of them were unhappy with Hall’s leadership. But any unhappiness they felt with Hall was outweighed by the shocks they suffered on 9/11 and in the days following. Their jets had been used as weapons. Thousands of their

members had been laid-off. Their contracts and their jobs were in jeopardy, and they were hardly immune to the patriotic backlash whipped up by the Bush administration and the media. Under those circumstances, were they more likely to back Hall, a long-time officer with connections in Washington, D.C., or Toussaint, a militant-talking, but untested and unproven, foreign-born local president who didn't even say the pledge of allegiance?³¹

The convention also saw the debut of *Rank and File Advocate* (RAFA), the new newsletter initiated by Acevedo and other reformers. They had rushed to get the first issue out in time for the convention in order to reach out to other delegates who might be interested in their take on union democracy and union reform and to let Toussaint know that he could not take their silence or their support for granted.³²

At the convention, Toussaint continued his stealth campaign for office. Prior to the election of officers, he spoke from the floor only once on a non-procedural issue — to disavow the position taken by Local 100 discouraging the use of binding arbitration to settle contracts. He did not offer an alternative approach to how the international functioned under Hall. The one piece of campaign literature he produced called only for spending more money on organizing campaigns and shifting resources and authority from the international to the locals. Hall easily won re-election.³³

31. Hall's forces tried to use 9/11 to set the tone of the convention and build support for Hall. The convention's first order of business was a motion condemning the terror attacks and pledging support for Bush's response. Three delegates from Local 100, Marty Goodman, J-P Patafio and Steve Downs, spoke against supporting Bush's actions. Toussaint remained silent. On the third day, an anonymous brochure, "New Directions or Road to Ruin". (Later shown to have been prepared by an International rep, Roger Tauss) appeared at delegates' seats. It combined red-baiting with accusations that ND members were supporters of bin Laden. This particular slander backfired when several delegates from Local 100 who had lost family members at the WTC, had helped evacuate people before the towers collapsed, or had worked on recovery efforts at Ground Zero stepped to the mike to tell their stories and condemn the author of the brochure.

32. In addition to a statement by the editors explaining the decision publish the newsletter, the first issue of the newsletter included an article exploring what might happen at the convention in light of ND's experience at previous conventions, a report from recent Executive Board meetings, criticism of placing Board members on the union payroll, a report on the salaries of the top International and Local officers, an exchange of views on how much Local officers' salaries should be reduced, and a look at Local 100 in the aftermath of 9/11.

33. Toussaint's critics from within ND voted for him over Hall. Willie James' supporters whom Toussaint had invited to join his "Unity Slate" voted for Hall.

In an article on what to expect at the convention, RAFA had noted, "But in the wake of September 11, this opening [for Toussaint to unseat Hall — SD] may have disappeared. The airline industry has suffered over 100,000 job losses so far, and the very existence of some Locals is being threatened by these cuts. This will probably force Local leaderships, in order to protect their members, into a more cautious stance, but some change is still a real possibility." Toussaint and his supporters later seized on this, claiming that this comment, not events in the real world, cost Toussaint the election for International President.

On December 1, 2001, Local 100 made good on ND's commitment to hold local-wide membership meetings. Thousands of transit workers came to the ballroom of the Sheraton hotel in mid-town Manhattan to get information from different departments of the union, hear speeches from politicians, and receive reports from officers and committees. Notably, during this meeting Toussaint sought to prevent members from hearing from those who were critical of his approach.

Several Local 100 members, including elected officers, distributed *Rank and File Advocate* outside the meeting registration area. They were approached by the union's security squad (most of whom were former ND members) and told that no "unofficial" literature would be allowed at the meeting. When these members replied that ND had fought for — and won — the right to distribute its leaflets and papers at union meetings and they would not give it up, they were threatened with being physically removed from the building. Eventually, the new "democratic" leadership of Local 100 called the hotel's security to have these dissident members escorted from the building.

Events at this meeting highlighted both positive and negative aspects of the new administration. The mere fact that several thousand transit workers came together to meet was progress. The meeting celebrated the new energy and direction within the union. It also introduced many members to some of the new programs the union was offering or initiating. However, the leadership's refusal to accept motions from the floor, the lack of discussion within the meeting, and the suppression of dissent outside the meeting room were all evidence of the new leadership's top-down approach to reforming the union and intolerance of anyone who questioned that approach.

In the summer of 2002, Local 100 members at three private bus companies in Queens went out on strike. The workers had been working without a contract since January 2001. The key union demands in the strike were: 1) increasing employer contributions for medical benefits, 2) improving pensions, and 3) guaranteeing the workers' jobs, wages, and benefits if the city gave different companies the franchise to provide bus service (which the mayor was threatening to do).

This was the first big strike run by the new leadership and, com-

ing six months before the expiration of the contract with the MTA, it was especially important for the union to win a clear victory. Complicating the union's task was the fact that the Queens division was one of the few that ND had not won in 2000. Almost immediately the elected officers from Queens complained they were pushed aside and that staff sent from the union hall was running the strike.

About five weeks into the strike, the Queens Borough President brokered a deal that provided, in Toussaint's eyes, the basis for a settlement. The proposal provided new money for health benefits. Pensions would be improved, contingent upon approval by the Federal Pension Benefit Guaranty Corporation. However, there was no provision for job security if the companies lost their contracts with the city.

At the meeting called to discuss this proposal, the VP of Private Lines, George Jennings, stood up and denounced the proposal as a sell-out for not providing job security. When Toussaint said that the members would be polled in the coming days to see how they felt about the framework for settlement, Jennings demanded a vote at the meeting. After denouncing Toussaint and the rest of the leadership, he said that the Queens members would be better off separating from Local 100 and forming their own local within the TWU. He then walked out of the meeting, followed by several hundred members. Toussaint immediately condemned Jennings for breaking ranks and calling for a split from the local.³⁴

Following the strike, Toussaint proposed that a committee of the executive board investigate the events that took place at that meeting to see if action should be taken against Jennings and the officers who supported him. With the board's approval, Toussaint appointed two loyalists (VP Julio Rivera and Division Chair Willie Blige) and one critic (Downs) to the committee. However, the board also approved a proposal that the committee should look broadly at the overall conduct of the strike and not just at that one meeting. This would enable the board to place that meeting in its context and to learn how to improve the union's functioning in future contract talks and strikes.

Despite that mandate from the board, the committee was not allowed to complete its investigation. Jennings was brought up on charges for allegedly damaging the union during the strike, leading a walkout from the meeting,³⁵ and urging a split from Local

34. The strike was settled about two weeks later on terms similar to those proposed that night. In the course of the strike, Mayor Bloomberg decided to press for takeover of the city-subsidized private lines by the MTA, rather than putting the franchises up for bids. The union never got the ruling it wanted from the PBGC and pensions were not raised.

100. He was immediately suspended from his position. When his hearing was convened, Jennings read a statement and then walked out of the room and refused to participate in the trial.

Eventually, Jennings was “convicted” by a majority of the board (several board members thought his actions were legitimate free speech and voted against this finding). He was barred from holding office for three years.³⁶

Negotiating a new contract with the MTA was the new leadership’s biggest test. The members’ expectations were high — they thought they finally had a leadership that wouldn’t back down from a confrontation with the mayor and the MTA. The leadership had been hammering the MTA and preparing for the talks practically since the day they took office. But, unlike 1999, when the city, state and MTA all admitted to budget surpluses, in 2002 they all claimed deficits. Additionally, Toussaint believed that in the wake of 9/11 it would be much more difficult for the union to win public support for any threatened disruption of the city.

Almost two years after Toussaint came into office, the health benefits funding crisis had not been resolved. Management wanted the union to make concessions in other areas in exchange for the maintenance of health benefits. While the union insisted that there would be no concessions, Toussaint didn’t articulate a strategy that would force management to accept the union’s position. For its part, management was ready to wait the union out. With no reserves in the health benefit trust, the issue of how the benefits would be funded would surely loom large at the bargaining table.

The union leadership defined the local’s goals with the slogan “Second-Class No More.” This referred to the fact that TA workers had lower wages, more meager benefits, and higher levels of dis-

35. The Executive Board included many members who, when they were critics of previous Local 100 administrations, had walked out of Board meetings and campaigned against decisions of the Board. When charges were brought against Jennings, Anita Clinton (Car Equipment) said that just because the James Team hadn’t had it together to bring charges, didn’t mean that once in office, the reformers shouldn’t discipline people who did the same things ND had done when in opposition. Local 100 Executive Board meeting 11/18/02.

36. Jennings’ conviction and removal from office were overturned on appeal to the International. However, several months later he was brought up on charges of allegedly abandoning his duties. Rather than continue to fight with Toussaint, he retired. Then, in the midst of the contract fight with the MTA, the International scheduled a vote on whether to split the Queens division off into its own local. Conducting the vote at that time was widely seen as an effort by Hall to undermine Toussaint’s position at the bargaining table. By a 3-2 margin, the members in Queens voted to stay in Local 100.

cipline than did workers doing similar jobs at the two commuter railroads run by the MTA — Metro-North and the Long Island Railroad. The slogan alluded, moreover, to the conviction of most TA workers that the reason for this disparity was that TA workers were mostly Black and Latino, while the workers on the commuter lines were predominantly white.

The slogan was tremendously popular among transit workers. It placed their struggle for a decent contract and respect on the job in the context of the much-broader struggle by African-Americans and people of color for full equality in American society. And it strengthened their conviction that the union leadership would not back down from the coming confrontation.

New York Governor George Pataki was running for re-election in 2002. While the union's contract expired December 15, 2002, the election for governor would be held in early November. Early in the year, Toussaint informed the executive board that the key to the union's contract strategy would be "making our contract an issue in the governor's race." He asserted that the union would pressure Pataki to the point that he would either provide more funding for the transit contract or risk losing the election.³⁷ *Rank and File Advocate* (RAFA), having no confidence in this approach, called for a strategy that organized the membership to confront management on the job and prepared the local for a possible strike when the contract expired. The newsletter urged the local to have a "Plan B" in place for when the effort to pressure Pataki failed.

Despite the efforts of RAFA and a few officers, the membership did not mobilize on its own — as it had in the past when ND led the fight — for a good contract. Believing they had a militant, strong leader at the head of their union, the members waited for direction from Toussaint. Throughout the summer and early fall, however, Toussaint downplayed the importance of action on the job. He emphasized lining up support from politicians, exposing mismanagement at the MTA, and building alliances with community groups.

37. Toussaint was clearly inspired by the deal made by Dennis Rivera of Local 1199 earlier that year. In exchange for 1199's support for his re-election, Pataki raised spending on health care. This, in turn, made it possible for 1199 to win solid contracts from the hospitals. In seeking to mimic Rivera's deal Toussaint greatly exaggerated Local 100's political clout and overlooked the fact that Pataki came in for considerable criticism from conservatives and fiscal watchdogs for his deal with Rivera. As a result, the governor needed to appear to stand firm against Local 100's demands.

All of these were clearly important parts of a successful contract fight, but they left the bulk of the members out of their own fight. Moreover, they omitted the most important weapon at the union's disposal — transit workers' ability to disrupt transportation and business in NYC.

Thus in late October, when it became crystal clear even to Toussaint that the transit contract was not "an issue" in the governor's race and Pataki was not going to provide additional funds to the MTA, Toussaint began to scramble to present a credible threat of a strike. Only then did he begin hinting at the possibility that transit workers would walk off the job. The war of words between the union and the MTA and Mayor Bloomberg heated up, and the union's threat to strike became more explicit.

Bloomberg got an injunction against the union and its members similar to the one Giuliani had gotten in 1999. Toussaint famously told Bloomberg to "shut up," that his comments were making a settlement more difficult. At a mass membership meeting on December 7, thousands of members roared their approval of a motion authorizing a strike if no contract was reached by December 15. The possibility of a strike gripped the city and was front-page news for the first half of December.

In reality, Toussaint was just posturing and the MTA knew it. Nothing had been done to prepare the members for a walkout and the potential fines that might follow. Picket captains had not been selected and trained. Members did not know where they were supposed to report to in the event of a strike.³⁸ The local had no plans for how to keep scabs from reporting to work or what to do if the MTA tried to run limited service with scabs and supervisors.

Tellingly, the membership meeting on December 7 was not used to organize the thousands of members who were present for a possible strike a week later. Instead of using the opportunity to sign people up for strike-related duties, the meeting was adjourned as soon as the strike vote was taken. No discussion was allowed from the floor. Then, in the words of one of his closest supporters, a few days after the strike vote, "He sent the signal to [the MTA] that he wasn't going out..."³⁹

The negotiations themselves were no more open than they had been under previous administrations. Ironically, despite his insistence in 1999 — over which he went to court — that division chairs

38. The first call for members to come to the union hall to prepare for a possible strike was not made until 12/10/05 (five days before contract expiration) in an email from Roger Toussaint to the Local's email list.

39. Goldstein interview with Kagan, 1/28/04, 10.

be included in the local talks, Toussaint excluded them in 2002. There were few elected officers present when most of the details of the agreement were hammered out. Instead, the room was filled with consultants and attorneys chosen by Toussaint.⁴⁰

The executive board approved the contract (31 for, nine against), sending it to the members for ratification. Supporters of RAFA in RTO and CED and low-level officers from one faction of the old James crew in the bus divisions opposed the deal. In arguing against the contract they highlighted:

- The first year wage freeze (transit workers received a \$1000 bonus, rather than a raise)
- Increased medical co-pays for basic benefits
- The union's acceptance that members would pay for enhanced medical benefits
- The elimination of the no-layoff clause
- Giving up union representation in the Health Benefit Trust
- The merger of two bus divisions — TA Surface and the Manhattan and Bronx Surface Transit Operating Authority (MaBSTOA)⁴¹

To opponents of the contract, the agreement to merge the bus divisions signaled that the MTA had won the confrontation over health benefits. For more than a year, the MTA managers had said they would continue funding the benefits if the union made concessions in other areas, and that's exactly what the 2002 contract did.

For their part, supporters of the agreement highlighted:

- The preservation of basic medical benefits
- New money in wages in each year
- Improved procedures for handling safety complaints
- Changes in how the TA conducted disciplinary hearings that

40. Goldstein interview with Kagan, 1/28/04, 13, 14, 21.

41. Many bus operators and maintainers feared that the merger of these two divisions (run as two separate companies) would lead to the loss of overtime and jobs. The MTA claimed that it would save them millions/yr. It was also seen as the first step in the MTA's plan to create a Regional Bus Co. (RBC) that would cover NYC, Long Island, and Westchester. In 1999, Willie James had agreed to a committee to consider RBC, but nothing came of it. At the 12/1/01 membership meeting, Toussaint and Kagan had floated the RBC as the solution to the health benefit funding crisis. They told the meeting that the MTA would continue funding benefits if the union agreed to support legislation in Albany creating the RBC. The proposal met considerable resistance from the membership and Toussaint ostensibly dropped it. Yet combining the TA and MaBSTOA bus divisions resurfaced as the centerpiece of the 2002 contract.

would “smash the TA’s disciplinary machine”⁴²

- Prescription drug coverage for retirees
- Enhanced “dignity and respect” for transit workers

The contract was approved by a 3-2 margin.

The contract campaign brought into sharp relief the question of to whom elected officers were responsible: the people who elected them, or the person above them in the union hierarchy?

As described above, many members of the Local 100 Executive Board were also on the union payroll. For most of them, being on the union payroll had meant a large pay increase and the obvious benefit of not having to work a dirty job under sometimes petty and abusive supervisors. However, unlike the president and VPs, their positions on the payroll did not automatically follow from being elected. They were appointed to staff positions by Toussaint and served at his pleasure. *RAFA* had frequently objected that this compromised the independence of the board, arguing that these officers, who were supposed to supervise Toussaint and set the policies of the local, might tailor their votes to avoid offending the person who could fire them from the union staff.

The contract vote made clear just how great a risk it was for union staffers to oppose Toussaint. José Rosado was a board member from TA Surface. He was also on the union payroll as director of the local’s Grievance and Discipline Office. Shortly after he voted against the proposed contract, he was fired by Toussaint.⁴³

Barry Roberts was an elected vice-chair of MaBSTOA. He was also on the union payroll as a staff rep. Shortly after he made his opposition to the contract known, he was fired by Toussaint.

Marc Kagan was an elected vice-chair of the Car Equipment Division. A close ally of Toussaint’s for almost 20 years, he was serving as Special Assistant to the President during the contract talks. He wrote most of the union’s literature promoting the agreement. However, in the most striking demonstration of what would

42. From Local 100 “Vote Yes” booklet. In the departments with the highest rates of harassment and discipline, RTO and Stations, the disciplinary machine continues to roll along. Toussaint acknowledged problems in “implementation” at an RTO meeting on 11/17/04. When asked if these problems might have been avoided if the officers from the departments had been included in the negotiations in 2002, he refused to answer.

43. This was an especially vindictive act by Toussaint because he knew that a recently diagnosed illness would make it impossible for Rosado to return to his job as a Bus Operator.

happen to a staff member who disagreed with Toussaint, Kagan was fired after he told co-workers from the shop he had worked in for over 15 years that he would be voting against the contract.⁴⁴

Opposition to the contract provided the basis for *RAFA* supporters and their former opponents from the buses to talk about shared concerns. Despite continuing differences in their assessments of Sonny Hall and Willie James, in the summer of 2003 they formed a common slate to challenge Toussaint's slate in elections later that year. Their slate – Members 1st – based itself on opposition to the givebacks in the contract and a commitment to greater democracy within the union. They chose Local 100 Recording-Secretary Noel Acevedo as their candidate for president.⁴⁵

Although Toussaint once again received 60% of the vote, five of the seven candidates for VP on his slate (the Toussaint Unity Team) were defeated.⁴⁶ This mixed message showed that the local's members were willing to give Toussaint more time, but they were not happy with how the local was functioning on the job on a daily basis. They took their dissatisfaction out on Toussaint's candidates for VP, rather than Toussaint himself.

By 2005, Toussaint was under a lot of pressure to negotiate a contract that was a clear win for the members. The 2002 agreement had come in for increasing criticism as the increase in the cost of living outstripped the wage gain and promises of improved treatment on the job had proven empty.⁴⁷ The members still had a

44. Goldstein interview with Kagan, 1/28/04, 17, 18

45. The decision to run with former supporters of Hall and James split the grouping around *RAFA*. Some, including this author, felt the alliance was justified in part because the slate was to be headed by Noel Acevedo, a long-time ND stalwart. They also agreed to the alliance because the platform was based on an explicit rejection of contract givebacks and a commitment to greater democracy within the union. And they wanted to make sure that the members who had opposed the 2002 contract had a choice other than Toussaint or those they had rejected in 2000. Other *RAFA* supporters, including Tim Schermerhorn, felt it was a mistake to make any kind of bloc with officers who had supported givebacks in previous contracts and who had only discovered the importance of union democracy when they were in the political minority in the union. This division, and the subsequent loss in the election, greatly weakened the *RAFA*.

46. Four of the new VPs were from Members 1st – Ainsley Stewart (CED), Barry Roberts (MaBSTOA), Bill Pelletier (TA Surface), Mike Curran (Private Bus Lines). Stewart had been in ND, the others had supported Hall and James. The fifth, John Mooney (Stations), is a former ND member who ran as an independent critic of Toussaint. This writer ran for VP in RTO and lost with 32% in a three-way race. In a re-run of the election in the Private Bus Lines (necessitated by employer interference in the election), Curran narrowly lost and was replaced by Neil Winberry, a Toussaint supporter. Toussaint kept the losing VP candidates from his slate on the union's staff.

strong desire to hit back at management, but there were growing doubts that Toussaint was committed to leading that fight.

Toussaint launched the local's 2005 contract campaign a year before the contract expired. But the mass mobilizations that had been central to the 1999 and 2002 contract fights were missing in 2005. In their place, the union leadership encouraged members to lobby in Albany and attend cultural events at the union hall as a way to measure the membership's readiness to fight.

Also missing was a bold slogan that could galvanize the membership and define the union's goals. In contrast to the pointed "Second-Class No More" of the 2002 talks, Local 100's slogan for the 2005 talks was, "Contract 2005 First." This did not excite an already skeptical membership.

In the fall, the local initiated "Action Tuesdays." On these days, members were to wear union t-shirts to work or picket outside the depot or shop during lunch hour. These actions built union spirit at a few workplaces, but they were a far cry from the 10,000-member strong marches and demonstrations of previous years.

Despite this drawing back by the union leadership, determination to win a good contract grew among the members throughout the year. As early as the December 2004 membership meeting, RAFA had called on the Local 100 leadership to:

- Forthrightly and publicly tell the membership that a strike is possible.
- Encourage members to build their own strike fund by setting aside at least \$20/wk.
- Train officers and stewards to aggressively enforce operating and safety rules on the job.
- Identify picket captains and train them on how to run effective picket lines.⁴⁸

These proposals were ignored by the local's administration.

In the summer, the MTA signaled its intention to take a hard line by announcing that it had a \$1 billion surplus for the year — and none of it was going to be set aside for improved wages or

47. On average, 50% of transit workers are given a disciplinary write-up each year. In pushing the 2002 agreement, Toussaint had claimed that 70% of the write-ups would be eliminated. In fact, there were more write-ups in 2004 than there had been in 2002.

48. *Rank and File Advocate*, Nov. 2004.

benefits. This arrogance fed the belief held by many transit workers that they were treated more harshly, and paid less in wages and benefits, than workers doing similar jobs at other MTA agencies (commuter railroads) because the transit workforce is made up largely of Blacks and Latinos serving a ridership that is primarily people of color.

As the contract expiration approached, members of Transit Workers for a Just Contract⁴⁹ collected pledges that read:

"I am a member in good standing of TWU Local 100. I fully support Local 100's efforts to win a good contract without accepting any of the MTA's demands for givebacks.

"I pledge that I will vote "NO" on any proposed contract that contains givebacks from Local 100 members."

These pledges were to be handed to local officers on December 15, the day the contract was to expire. Members snapped them up.

At the mass membership meeting on December 10, Toussaint took up the call for "No Givebacks." But he also issued orders to union staffers that they were to limit rank-and-file manifestations of that sentiment. Members entering the hall where the meeting was taking place were not allowed to bring any "unauthorized" literature or the signs they had made denouncing the MTA or urging the union to hold fast to "No Givebacks."

While no discussion was allowed from the floor, some 7,000 Local 100 members roared their approval when Toussaint, repeating the union's central slogan of "A Deadline is a Deadline," asked for authorization to call a strike if there was no settlement by midnight on December 15.

A deadline wasn't a deadline, however. On December 15, the MTA, as part of their final offer, presented their demand that the retirement age and years of service be raised. Toussaint emphatically rejected this demand, but he also pushed the contract deadline back to December 19 to allow negotiations to continue. By the 19th, the MTA substantially altered its "final offer." No longer demanding that new employees work longer and retire later, management now demanded that new hires pay more into the pension plan (6% of wages instead of 2%) for the same benefits current workers have.

As the contract expired, Toussaint found himself caught between a management that was determined to force the union to accept a significant giveback and a membership that was equally

49. A coalition initiated by *Rank and File Advocate* in the spring of 2005.

determined to prevent givebacks and win a good contract. As he related later, internal polling had convinced Toussaint that “Our members would not accept a contract that was not the product of a strike.”⁵⁰

The mood of the membership made it impossible for Toussaint simply to agree to givebacks at the bargaining table. Having won office after Willie James failed to lead the fight the members wanted, Toussaint knew that he had to risk a strike in order to convince the membership that he had done everything possible and that the resulting contract was the product of a real fight.

Stating that it would not accept lowering the take-home pay for future generations of workers, the executive board declared Local 100 on strike against the MTA. The strike was 100% effective. No subway trains or city buses moved for the duration.

Transit workers were proud of their leadership and themselves. They were finally saying “NO” to management and backing it up with a demonstration of the power they always knew they had.

However, it was clear on the picket lines that Toussaint’s stated reason for the strike was not the reason that was first and foremost for most strikers. The pickets supported preventing the MTA from increasing the amount future workers would pay for their pensions. But it was not something that had been discussed and that the union had organized around in the months leading up to the contract expiration. In fact, the Local leadership’s failure to define the union’s goals and campaign for them among the membership meant that the MTA defined the issues that led to the strike and that shaped the resulting contract.

For most pickets, first and foremost was paying the MTA back for all the petty harassment they had endured over the years. The strike was about standing against what was seen as racially motivated disrespect and wages and benefits that were lower than those agreed to on the commuter railroads – where the workforce and riders were predominantly white. Many members remained motivated by the sentiments captured by the slogan “Second-Class No More.”

For the members, the strike was also about winning a good contract — one with better wages and benefits and no givebacks.

50. Statement by Toussaint to members at contract meetings at the Brooklyn YWCA (1/9/06) and Bronx Community College (1/10/06) .

Unfortunately, this was not Toussaint's primary goal. For him, the strike was to secure ratification of a contract that would otherwise be rejected, and to secure his own reelection.

Not surprisingly, the strength of the strike provoked strong opposition. Even before the strike began, Local 100 and its members were the targets of blistering attacks by Mayor Bloomberg, Governor Pataki, and the corporate-owned media. These attacks did not weaken the strike, however, because they confirmed for many strikers that they were treated the way they were because the transit workforce is overwhelmingly African American, West Indian, Latino, and increasingly South Asian.

The leaders of NYC's other unions, who pledged their undying support at pre-strike rallies, stood on the sidelines (at best) or (at worst) pressured Toussaint to end the strike without a contract.

The TWU International actively worked to undermine the strike. In order to avoid fines against the national union, TWU International President Mike O'Brien publicly urged Local 100 members to "cease strike activity" and return to work.

Despite similar attacks in 1999 and 2002, the Toussaint leadership was ill-prepared to deal with them in 2005. There didn't seem to be any plans for protecting the union's assets or for escalating the strike in response to management's escalations. When strikers suggested sending pickets to Metro-North and the Long Island Rail Road (the commuter railroads that are part of the MTA), the union leadership refused to act.

The lack of preparation limited both Toussaint's options and what the strike could accomplish. But there was a positive dimension to it.

As in 2002, there had been little or no training of picket captains. In Rapid Transit Operations (RTO — the subway crews), people were called on December 15, the original contract expiration date, and asked if they were willing to be picket captains.

Nevertheless, picket lines did go up. They went up in places where the Local had no expectation there would be a picket line. Stewards and members stepped up and took responsibility for setting up and maintaining the lines. And after the first day, they began to reach out to their friends at other locations to talk about how to heighten the effect of the strike. For example, in the Bronx, pickets began collecting names and phone numbers of people who lived upstate or in Connecticut, with an eye toward sending pickets to Metro-North's yards.

On the picket lines themselves, members from different divi-

sions stood out in the cold together and discussed the TA, the union, the strike, what they'd like to see in the contract, etc. Local 100 has only one local-wide meeting a year, and the membership isn't always allowed to speak at it, so the exchanges that took place on the picket line represented an unusual opportunity to connect as local members, rather than by title or division.

The strike lasted 60 hours. On the third day, December 22, the executive board voted to end the strike — *without an agreement in place*. While some Local 100 members were relieved that the strike was over, many were disgusted that the union had retreated. They returned to work grudgingly and worried about what was going on at negotiations.

This concern was heightened when it became known that, to end the strike, "Mr. Toussaint signaled that if the transportation authority relaxed its demands involving pensions...he would be willing to bargain over workers' making payments toward their health benefits."⁵¹

The members were right to worry. When they woke up on December 28 and learned what Toussaint had negotiated and the executive board had agreed to, thousands of transit workers said, "I didn't strike for this!"

In exchange for the MTA withdrawing its demand for changes to the pension system, Toussaint had agreed, for the first time, to a premium for healthcare. The MTA had sought to shift some of its costs for pensions onto the workers. Toussaint had refused to allow that shift. But to the employer, shifting one set of costs onto the workers is as good as shifting another. Toussaint agreed to shift some of the cost for healthcare from the employer to the worker. In addition, workers did not regain any of the ground lost to inflation. And losing the leverage given by a contract expiration date during the holiday shopping season, the union had agreed to push the expiration into the middle of January.

The union claimed that the new 1.5% healthcare premium⁵² was not a giveback because it was paying for a new benefit — full healthcare for retirees. But they never explained why the workers were to pay approximately \$100 million for healthcare that was

51. *N.Y. Times*, 12/23/05

52. The premium would be 1.5% in the first year, but would escalate slowly, with no cap, over the life of the agreement as healthcare costs rose.

expected to cost the MTA roughly \$31 million.

A hastily organized “Vote No” campaign argued that the contract was not worthy of the strike. Focusing on the health care premium, opponents of the contract made it clear that they had not struck to trade one giveback for another. For its part, the union leadership tried to cast the contract vote as a referendum on the strike. Their hope was that members who were proud to have struck would vote for the contract. Instead, many members who had been proud while they walked the picket line began to wonder if they had been fools for supporting the strike.

Paradoxically, the strike that Toussaint had called in order to get a mediocre contract approved probably made it harder for him to sell the contract he negotiated. Members who had been on the picket lines felt strong — they had just crippled NYC. They felt competent — they had set up and maintained picket lines with no training and little direction from the union. They did not see why, given the power they had just demonstrated, they should agree to givebacks in their contract.

After intense campaigning by both sides, the contract was rejected by just seven votes — 11,227 yes to 11,234 no. The contract was rejected in the divisions representing Train Operators, Conductors, Trackworkers (which Toussaint had chaired before being elected president) and Station Agents and Cleaners. These divisions have large African-American and Latino majorities. They had overwhelmingly supported the New Directions slate in 2000 and voted for Toussaint’s re-election in 2003.

Instead of accepting the decision of the membership or the calls for emergency membership meetings to resume the contract fight, Toussaint and his team complained that opponents of the contract had lied about its contents; claimed that the membership didn’t understand the terms of the agreement; and repeatedly threatened the membership that the contract would now be decided by binding arbitration.

Because of the closeness of the vote, some editorial writers and other observers of the talks urged the local to conduct the vote again. Toussaint initially rejected this. But, after almost two months during which the union staff made it clear that they would do nothing to renew the contract fight, Toussaint announced that he would conduct another vote on the same agreement. The mem-

bers would be required to vote until they got it right. However, Peter Kalikow, the MTA chair, stated that the proposed contract was off the table and the MTA was determined to resolve the contract through arbitration.

Since there could be no illusion that Toussaint would actually return to the bargaining table — or the streets — to try to win a better contract — the membership overwhelmingly approved the agreement on the second vote. Only the Train Operators Division rejected it both times.

Between the two votes, the local was fined \$2.5 million dollars for ignoring a judge's injunction against the strike. And beginning June 1, 2007, the local lost the right to have dues automatically deducted from members' paychecks. In addition, each individual striker was fined a day's pay (on top of the day lost while striking) for each day of the strike. And, in a stunning development, Roger Toussaint was sentenced to 10 days in jail for contempt of court.⁵³

The jailing of a union president for leading a strike represents a serious escalation in the assault on unions. But the response to the jailing within Local 100 was quite muted. When the local and New York's Central Labor Council called on members to turn out to escort Toussaint on a march across the Brooklyn Bridge to his way to jail, only a couple hundred Local 100 members showed. There was little support among a membership that felt itself betrayed first by the decision to return from the strike without a contract, second by the givebacks in the contract that was eventually reached and, third, by Toussaint's display of disrespect for the membership by ordering a second vote on the rejected agreement.

The contract was ultimately decided through binding arbitration. On December 15, 2006, the arbitration panel ruled that, with minor changes, the contract negotiated a year earlier — and rejected by the membership — would take effect.

The day the arbitration panel issued their ruling was the same day the results of the Local 100 election were announced. The strike and, to a greater extent the contract, had bitterly divided the membership of the local. These divisions played themselves out during the election.

Four candidates challenged Toussaint for president, including

53. In late April, after serving four days in jail, he was released early for good behavior.

two incumbent vice-presidents — Barry Roberts and Ainsley Stewart (the other two candidates were Mike Carrube and Anthony Staley). Roberts was the most conservative candidate. He had ties to the leadership of the TWU International (who had been at odds with Toussaint) and had wavered during the strike. Only a day into the strike, Roberts (along with a number of officers who served under him) sent a letter to Toussaint asking for a vote on the MTA's final offer. Although he made the contract and the health care premium an issue during the election, he had supported the return to work and voted for the proposed agreement when Toussaint presented it to the executive board. Stewart, on the other hand, voted against both the return to work and the contract.

Two days before candidates were to begin collecting signatures on nominating petitions, Toussaint had the executive board change the rules to make it easier to qualify for the ballot. This was done to ensure that there would be several candidates splitting up the vote against Toussaint. The TWU's election rules do not require 50% to win. So, with four candidates splitting the vote against him, Toussaint's chances of winning increased.

When the ballots were counted, Toussaint did win, but he received only 43% of the vote (in 2000 and 2003 he had gotten 60%). A majority of the membership voted against him and his slate. Barry Roberts came in second with 35%. Of the seven VP spots, Toussaint's slate won three and lost three outright (they won a fourth on a re-vote in the spring of 2007).

New Directions survived fifteen years in opposition but collapsed within a year of winning control of Local 100. Although the details of ND's rise and fall are unique, many union reformers can tell similar tales of reform caucuses and slates that come apart upon taking office. Is this an unavoidable stage in the life of a union reform movement? Is a different outcome possible?

Obviously, a smooth transition from opposition to administration, and the survival of the reform caucus in the process, cannot be taken for granted. There are significant centrifugal forces pulling the reformers apart. For example, it's easy, even necessary, to paper over or set aside differences within the caucus when it's a small group standing against the union machine. But those differences are likely to assert themselves when the group takes control of the union.

ND's "platform" was essentially militancy, democracy, solidarity and opposition to givebacks. Throughout its existence it tried to find ways to make those slogans concrete and to show how ND, and not the incumbent officers, would do a better job of making them a reality. ND welcomed just about anyone in the union who supported that platform.⁵⁴ Differences within the group over the meaning and significance of, say, union democracy, were less important than the agreement that the Sonny Hall or Willie James teams were undemocratic. But once ND was in charge of the union, differences over what a democratic union looked like and how to achieve it became very important.

During Ron Carey's first term as president of the Teamsters, Ken Paff (General Organizer of Teamsters for a Democratic Union) described the reformers' strategy as "the vise-grips approach." By this he meant that corrupt or ineffective local officers who were opposing reform would be squeezed between the pressure for change coming from Carey and his officers above and TDU and an active membership below. TDU had the advantage of being organizationally distinct from Carey. Although it was represented in the top leadership of the union, Carey was not a member. Thus, TDU set its own course while working closely with Carey and his people.

ND's situation was different since Toussaint was a member and it was the ND slate that had won the election. Despite that, a vise-grips approach could have been a viable reform strategy in Local 100. This would have required that the two principal factions within ND reach an understanding that, despite their differences, they were both committed to building a stronger, more aggressive and more democratic union. They would also have to agree that, while it would work closely with the top officers (who as ND members would have a say in its decisions), ND would set its own course to pursue that goal and be led by stewards and rank-and-file local members. This would have brought more forces to bear on the tasks of rebuilding the union and challenging management, and probably would have resulted in a strengthening of the union on the job.

The fight within ND was a fight rooted in and about politics. It

54. The few exceptions were members of sectarian left groups who supported those points but also asserted that ND was an obstacle to achieving that platform. When they showed up at ND meetings insisting that they had a right to participate, they were not permitted in.

was not fundamentally a clash of egos or a personality dispute. This doesn't mean that personalities didn't matter. ND was built by men and women who brought with them their strengths and weaknesses. And these strengths and weaknesses partially determined how the fight unfolded and what options were available and which were closed off.

Toussaint's strengths enabled him to rise to the position of head of ND's slate and president of TWU 100. His weaknesses limited the vision and the base of the reform administration and closed off the possibility of a vise-grip approach.⁵⁵

Virtually any challengers to entrenched incumbents will wave the banner of "change" or "reform." For many, these words mean nothing more than "elect me." In the years leading up to 2000, however, New Directions did not just call for reform, it identified the reforms it sought.

Through its newsletter, its election campaigns, its office-holders and its work on the job, ND fought for a set of reforms that would transform TWU 100 into a democratic, member-controlled union. The members of ND promoted this transformation because it was needed to enable transit workers to resist harassment and abuse from their supervisors. It was also needed to enable them to defend their jobs and to win improved wages, benefits, and working conditions.

ND members also recognized that their fight did not take place in a vacuum. They fought for these changes to show other workers in the TWU and the broader labor movement that the change to a union that was both democratic and militant was possible and that it was a necessary part of any effort to build a more democratic and just society.

New Directions' challenge to the traditional leadership of Local 100, and the fight within ND over how to rebuild the union once ND won the top offices, were never intellectual exercises. At stake were real people's lives, jobs and futures. Ultimately, the test of any union reform strategy is whether it enables the union, its members and its officers to achieve their goals. How does the Toussaint

55. Kagan sheds some light on Toussaint's hostility toward his critics from ND, despite his remarks that all who were willing to work to build a strong union were welcome. Commenting on the immediate aftermath of ND's victory and his effort to bring Toussaint's critics within ND into the process of rebuilding the Local, Kagan says that he urged Toussaint to, "...let Steve Downs be head of the grievance and discipline department. You know Roger wasn't having any of it." Instead of giving his critics a chance to participate in the rebuilding of the Local, Toussaint (In Kagan's words), "decided, no, they're my enemies; I'm going to deal with my enemies." Goldstein interview with Kagan, 8/22/03, 23. And, "...this is in March and April of 2001, Roger is already starting to chop these people [critics from ND] off." Goldstein interview with Kagan, 8/22/03, 25.

administration measure up?

If we look at the local's finances and the increase in services (e.g. job upgrade training, childcare subsidy, classes in safety or workers' comp) provided by the local, Toussaint's strategy has been a success. Getting the local's books in order and hiring staff to provide certain services fit easily within a top-down, centrally controlled model of union reform.

Looking at the contracts covering most of the local's membership, however, tells a more mixed story. On the one hand, wages have trailed behind inflation. The cost to workers of medical benefits has risen and will continue to rise. On the other, procedures that enable individual workers to challenge unsafe work are taking hold and could strengthen the shop-floor power of stewards and workers.⁵⁶

When Toussaint announced the strike in 2005, he pledged that the union would not return to work without a contract covering the brothers and sisters at the private bus lines that were being taken over by the MTA. Three years later, those members are still without a contract and without the raises and pension improvements they need.

Toussaint's 2002 boast that the TA's disciplinary machine had been smashed has proven hollow as large numbers of disciplinary write-ups continued to be issued. In short, no progress has been made in overcoming the second-class status highlighted by Local 100 during the 2002 contract talks.

Additionally, considerable effort has been put into building up the local's political action program and strengthening the local's ties with politicians and community leaders. Local 100 and its members have very little to show for this, however. Political "action" has not prevented the TA from closing token booths. The political action program has not resulted in increased funding for mass transit from the governor or the mayor. And few of the union's legislative priorities have been enacted in Albany.⁵⁷ In 2007, the union could not even get a sponsor in the State Senate for its Track Safety Bill.

56. However, in a sign of the limits that exist on the power of stewards and the members who choose them, in 2007 Toussaint "decertified" stewards who have raised questions about how the union's money is being spent.

57. The two exceptions to this are the passage of an "assault bill" in 2002 and the refund of excess pension contributions in 2007. The assault bill made the assault of a Train Operator, Conductor or Bus Operator a felony (it was modified later to include Station Agents). Toussaint claimed that this would reduce assaults on the Local's members. However, the Local has acknowledged that assaults against Bus Operators and Conductors have not fallen. The refund of excess pension contributions had been stalled in Albany for years. It was won by striking, not through lobbying.

Moreover, Toussaint has clearly failed to unite the union behind his vision of reform. Over half of the members voted against him in 2006. He continues to drive away allies and potential allies, narrowing the base of active support for the union's programs.⁵⁸

Has reform-from-above resulted in greater participation by members in the life of the union?⁵⁹ This is the standard by which Toussaint said the reform of the union should be judged. In his words:

"Are the bars to the members taking over the union, are they being systematically taken down? Are the forms and structures being put in place for the membership's participation and can you measure the growth and participation, is it evident or is it measurable? Are there more people attending meetings? Have there been more Executive Board meetings? Have there been more Joint Executive Board meetings? Have there been forms that never existed before? Have the members participated in those forms? Is the leadership in the field? Is the leadership more accessible to the members? Right? To me, those are the tests."⁶⁰

How does the Toussaint leadership measure up in meeting these tests? In the flush of excitement following ND's victory, some 1000 members attended the local's steward training courses in 2001 and 2002. By the end of 2004, only a few dozen attended stewards' meetings. Roughly 7000 members attended the Local's 2001 membership meeting, 8000 attended in 2002, a contract year. In 2003, barely 600 attended and in 2004 attendance rose to 1300 or so. 2005, another contract year, saw a high turnout. But in 2006, attendance was back below 1000.

Four years into his administration, Toussaint wrote:

"There is a low level of policing management; contract enforce-

58. In January 2005, five of the Local's VPs filed suit in Federal court claiming that Toussaint was engaged in campaign to quash dissent in the Local. Among the five was Randy Nevels, the VP of RTO. Nevels had been one of the staffers blocking dissidents from distributing flyers at the 12/01 membership meeting. He was elected VP on Toussaint's slate in 2003. One year after taking office, he was accusing Toussaint of undermining the officers in RTO. In December 2005, just two weeks before the contract expiration, Toussaint removed John Samuelsen from his position of Acting VP of Maintenance of Way. Samuelsen had been a protégé of Toussaint's and had succeeded him as Track Div. Chair. He was removed because he called for the sale of the union's building to be delayed until after the contract was resolved so that a full discussion of the sale could take place. He ran for Secretary-Treasurer against Toussaint's slate in 2006.

59. Does more participation by the membership = greater union democracy? What's the relationship between members participating in union activities and members controlling the union? What kinds of structures are needed to make it possible for 36,000 members to actually control their union? These are important questions without easy answers. Unfortunately, they have not been discussed within Local 100.

60. Goldstein interview with Toussaint, 8/7/2003, 15.

ment and stopping management abuse and messing with people.

"There is a lack of follow up/follow through on member's (sic) concerns.

"Members need a stronger Union presence on the job.

"We go into this year after two tough years for Local 100. The 2002 Contract Ratification battle was a bruising one. The Election fights were tough, and lasted far too long. The result has been a loss of cohesion and an unfortunate growth of negativity and cynicism in our ranks. The evidence is a decline in membership participation at meetings and events, and a decline in officer and staff accountability."⁶¹

A few months later, in May 2005, Toussaint showed how far he is from an approach that could reverse that decline in membership participation. He proposed that the local dispense with elections for delegates to the TWU International convention and simply send the executive board and division officers.⁶² When the executive board had to decide whom to endorse for mayor in 2001, it held a candidates' night open to the membership before making its decision. In 2005 they acted without any gesture toward involving the members.

In the summer of 2007, as part of the penalty for striking, the local lost the right to collect dues from members' paychecks. A high level of "participation" was critical to the union's survival. However, after nine months of collecting dues directly from the members — and six years of "rebuilding" Local 100 — 50% of the members were not paid up in their dues. Even by his own standards, Toussaint's top-down approach to rebuilding the union has failed.

The 2005 strike certainly inspired working people and union members throughout the city and the country. But as shown above, the decision to strike was not an expression of a transformed union. It was driven by a fear that the membership would reject both the contract and the leadership if there were no strike. Poorly prepared and poorly led, the strike showed the style of a militant

61. President's Message, Local 100 Express, December 2004. Toussaint raised the same points in his address to the December 2004 membership meeting. While he said that he is responsible for correcting the problems in the Local, he did not acknowledge any responsibility for contributing to the problems. And, as if to illustrate how he intends to correct those problems, he dismissed members who called for serious strike preparations as a part of the 2005 contract campaign by saying, "time has run out on tolerating nonsense in this union."

62. This would have been such a violation of the TWU Constitution that Toussaint said he would only do it if the Board unanimously backed the proposal. While a majority did vote to send themselves to the convention, a few Board members insisted that elections should be held and Toussaint dropped the idea.

union, but not the substance.

Finally, since 2005, the executive board has endorsed the suspension of elections for convention delegates, refused to accept the membership's rejection of the contract, changed the election rules to hold onto office with support from only a minority of the members voting, accepted the annulling of steward elections when critics are elected, and filled vacant VP positions by appointment rather than election. These actions exhibit the bureaucratic substance of the Toussaint administration.

An enormous opportunity opened up when New Directions won control of Local 100 in December, 2000. Transit workers had the chance to show that a union based on militancy against the boss, democracy within the union, and solidarity with other workers could not only improve their lives on the job but also play a significant part in challenging the corporate agenda in NYC and beyond.

But making the most of that opportunity required that the Local 100 leadership pursue a fundamentally different strategy from the one they chose. As a result of the strategy the leadership chose, that opportunity was lost.⁶³ Instead of a new direction, Toussaint simply brought a new style to the old way of doing things and ended up with a (sometimes) more efficient machine, not the democratic, member-run union that ND and thousands of the local's members had fought for.

But it has not been easy to lower the members' expectations or to kill off their determination to win substantial gains in wages and benefits and end harassment on the job. It was this determination that led Toussaint to the conclusion that he had to call a strike to get the members to accept givebacks in the contract. It was members' determination to come out of the strike with a clear victory that led them to reject the contract Toussaint negotiated. And the fact that a large part of the membership continues to support a more democratic and more militant union led all of Toussaint's challengers in the 2006 election to present themselves as the candidates most committed to those goals.

63. This conclusion is shared by Marc Kagan, who did so much to carry out the flawed strategy. In a farewell email, he wrote, "...the tremendous opportunity we had in January 2001 has come to a terrible waste in TWU as Roger has circled the wagons, limited his own vision, and surrounded himself with 'Roger loyalists' with no vision at all." Email posted 3/31/04.

Following the 1980 transit strike and the bureaucracy's ability to hold onto their positions after the opposition split their support in 1979 and 1981, there was widespread demoralization and cynicism among Local 100's members. Nevertheless, the continued failure of the union leadership at that time aggressively to respond to management's drive for cuts in wages and benefits and for more work from fewer people compelled members who wanted to challenge management to organize independently of, and in opposition to, the union's officers and their policies. New Directions was the fruit of the union leadership's failure and the membership's need for a means to fight back. So was the 2005 strike.

The significance of the strike will be contested for years to come. Transit workers showed that they still have the power and the will to fight. But because the strike was called to blow off steam and win ratification of givebacks, that power and will were not used to win a good contract or a clear victory against management. The strike also showed that poor planning and leadership will doom even the most effective strike.

In the wake of the union's givebacks following the 2005 strike and Toussaint's holding onto office in 2006, demoralization and cynicism have returned to much of the membership. Many Local 100 members who proudly participated on the picket lines now wonder if they were fools to do so. Others, who stayed home during the strike, question the wisdom of fighting back at all. Still others, however, remain proud of their efforts during the strike. They remain convinced that a better contract could have been won. They are inspired by the expression of worker power they were a part of. They are determined to continue fighting for a stronger and more democratic union — and for a union leadership worthy of the union's members.

Just as in the 1980s, members who want to fight management's drive to cut wages and benefits and get more work out of fewer people will find that they need to organize together to achieve their goals. Already, through newsletters, leaflets, petitions, stewards training and organizing on the job, activists and concerned members are working to put the pieces of a movement for union democracy and struggle against management back together. ■

SOLIDARITY'S 12 POINTS OF UNITY

Capitalism is an outmoded social system now deep in crisis. This crisis is producing the beginning of a declining standard of living and an escalating drive toward war. This crisis is the unavoidable outcome of capital's most basic drives. Humanity will only be freed from the barbarism of war, environmental devastation, poverty, unemployment and declining living standards for millions when capitalism has been displaced by a rational, planned and democratic and participatory economic system: socialism.

Socialism is the political and economic rule of the working class, in which the means of production are under the social ownership of the working class, which democratically plans economic life. The working class organizes its political and economic rule through councils of workers and popular representatives, freely chosen among a variety of organized working class and popular parties.

Socialism can only be achieved by a revolutionary mass political movement of the working class which ends the political rule of the capitalist class and private ownership of the means of production.

The aim of this organization is to build a revolutionary socialist movement in the working class and allied sectors of the oppressed. Membership is open to all who share our principles and work toward achieving them.

The capitalist parties, especially the Republican and Democratic parties, are fundamentally anti-working class, racist and sexist. We oppose any form of participation in or support for these parties. We call for the working class and its allies to form a new, independent political party that fights for their needs.

The capitalist crisis has set in motion an employers' offensive that necessitates national and international labor soli-

darity as well as organizing the unorganized. The labor bureaucracy for the most part acts as a brake on labor action. We therefore support all efforts to transform the unions into militant vehicles, including rank and file groupings within the unions as well as coalitions against concessions and strike support committees.

Racial and national oppression divide the working class and create poverty and misery for millions. We join in the fight against racism, such as the struggle for affirmative action, and support the efforts of oppressed national minorities to organize independently for their liberation.

We fight for women's liberation, and for women's equality today. The oppression of women within the family and in society divides the working class, keeps women's wages low and burdens women unequally in the task of social reproduction.

We are supporters of lesbian and gay liberation, of their struggles for civil rights and against all forms of anti-gay bigotry. We support, as with all oppressed groups, the efforts of gays and lesbians to organize independently for their liberation.

We are internationalists. We support movements for self-determination and national liberation throughout the world and the struggles of workers for better living standards and social and political power everywhere. Whatever may be our differing theoretical analyses of any particular struggle, we are unconditional defenders of movements for genuine trade unionism and workers' democracy.

We actively oppose the growing drive towards war, whether that be in the form of intervention in Central America, the Middle East or elsewhere, or the buildup of the U.S. war machine. We fight for unilateral disarmament in the U.S. and, at the same time, we extend our solidarity to the independent peace movements of Eastern Europe.

Toward these ends we are committed to building an effective revolutionary socialist organization in the U.S. capable of acting together without presenting a monolithic face to the world or engaging in pretenses of being "the vanguard."

AGAINST THE CURRENT

A lively and diverse bimonthly U.S. magazine on the struggles for global justice and the politics of



socialism-from-below.

Each 48-page issue carries news and analysis of labor, feminist, anti-racist and social struggles, with a lively dash of debate, and a substantial book review section.

Recent issues include an interview with Michael Honey on Martin Luther King, Jr. and the striking sanitation workers in Memphis and women

remembering 1968. We pay special attention to the war and occupation in Iraq and the spreading crisis in the Middle East, particularly the tragedy in Palestine — and the revolt against neoliberalism and U.S. domination. Check us out if you're interested in the struggles in New Orleans and the Gulf after Katrina or the global environmental catastrophe and how to confront it

SPECIAL INTRODUCTORY RATE:

\$18 one year; 40% off cover price!

ATC ■ 7012 Michigan Avenue ■ Detroit MI 48210
Website: www.solidarity-us.org